DOCUMENT RESUME

ED 179 043 EC 122 016

AUTHOR	Stripling, Tom: Hamilton, Regina
TITLE	Federally-Supported State Vocational Education and Vocational Rehabilitation Programs. Draft.
SPONS AGENCY	Office of Human Development (DHEW), Washington, D.C. Office of Developmental Disabilities.
PUB DATE	Jan 79
GRANT	54-P-71180/3-02
NOTE	195p.: A product of the Federal Programs Information and Assistance Project (Washington, DC) which is no longer in existence: For related information, see EC 122 017.
EDRS PRICE	MF01/PC08 Plus Postage.
DESCRIPTORS	Costs: *Developmental Disabilities: *Federal Aid: *Federal Programs: *Handicapped: Handicapped Children: State Programs: *Vocational Education: *Vocational Rehabilitation

ABSTRACT

The monograph is designed to encourage developmentally disabled consumers and their advocates to understand, use, and influence their state vocational education and vocational rehabilitation programs. Part I presents an historical discussion of the development of vocational education and vocational rehabilitation. Parallels are drawn between the two programs and organizational charts are provided of federal administrative offices. Parts II and III explore separately the goals and purposes, eligibility and application processes, and activities available under vocational education and vocational rehabilitation. The state formula grant program is focused on in each section. Additional topics in the section on vocational education include training and development programs for vocational education personnel and bilingual vocational education. Among resources considered in the section on vocational rehabilitation are special projects regarding the severely handicapped and efforts of the National Institute of Handicapped Research. (CL)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED179043

JANUARY 1979

DRAFT

FEDERALLY - SUPPORTED STATE
VOCATIONAL EDUCATION
AND
VOCATIONAL REHABILITATION
PROGRAMS

U.S. DEPARTMENT OF HEALTH.
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

BY:

TOM STRIPLING,
TECHNICAL COORDINATOR

AND

REGINA HAMILTON,
ASSISTANT TECHNICAL COORDINATOR

FEDERAL PROGRAMS INFORMATION AND ASSISTANCE PROJECT
1522 K STREET, N.W. -- SUITE 1030
WASHINGTON, D.C. 20005
PHONE: (202) 785-1507

A PROJECT OF NATIONAL SIGNIFICANCE
FUNDED IN PART BY: THE BUREAU OF
DEVELOPMENTAL DISABILITIES

GRANT NO. 54-P-71180/3-02

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

Paul Marchand

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

EC 122016

PREFACE

This module provides a general understanding of the state vocational education and vocational rehabilitation programs. Topical discussions are directed towards individuals with developmental disabilities and their advocates so that they may learn to use these programs to their maximum potential.

Part I presents a concurrent historical discussion of the development of vocational education and vocational rehabilitation, tracking their evolution and drawing parallels between the programs. Organizational charts are provided to assist the reader in identifying federal administration for these programs.

Parts II and III explore separately the goals and purposes, eligibility and application processes, and activities available under vocational education and vocational rehabilitation. The state formula grant program is the primary focus of these parts. The national, regional, and special aspects of each are presented as other resources. Issues, areas of interest, and suggested questions for advocates to ask state and local administrators are included throughout these parts.

This module is designed to encourage consumers and advocates to understand, use, and influence these two programs. The information is presented along with citations from federal regulations and other sources so that further research on issues requiring such consideration can follow reading the module. This book should serve as an introduction to the vocational education and vocational rehabilitation programs. It is intended to stimulate further questions in the minds of consumers and advocates so that they may evaluate programs and explore ways of continuing and improving these services.

THIS MODULE CONTAINS INFORMATION ON THE NEW PROVISIONS OF THE REHABILITATION, COMPREHENSIVE SERVICES AND DEVELOPMENTAL DISABILITIES AMENDMENTS OF 1979 (PL95-602). THESE WRITE-UPS ARE CLOSELY BASED ON THE LANGUAGE OF THE LAW AND APPROPRIATE COMMITTEE REPORTS FROM THE HOUSE SENATE. READERS SHOULD BE AWARE, HOWEVER, THAT REGULATIONS TO IMPLEMENT THIS ACT HAVE NOT BEEN PROMULGATED. SUCH REGULATIONS WILL AFFECT DIRECTLY THE DISCUSSIONS CONTAINED HEREIN.

RESEARCH AIDES

Citations for the current federal laws and regulations related to vocational education and vocational rehabilitation programs are provided below. These citations are listed so that individuals interested in the vocational education and vocational rehabilitation programs know where to continue researching either or both of the two areas.

Federal laws may be researched from a variety of documents. All laws are introduced first as bills in either the House or Senate. These proposals are published in the Congressional Record. The Record is a daily publication of the proceedings and debates of the House and Senate. When a bill is signed into law by the President, it is given a public law (PL) number indicating the congressional session and the sequence in which the law was enacted (e.g., PL 95-602 resulted from the 95th congressional session and was the 602nd law to be enacted). Each year, public laws are codified into the United States Code (U.S.C.). Another resource listing laws before they are included into the U.S.C. is the codified United States Statutes at Large (Stat.).

Federal regulations are published daily in the Federal Register. The Register is a publication of presidential proclamations, executive orders, federal agency orders, regulations and notices of public applicability and legal effect. Regulations may be obtained from the Register or from the Code of Federal Regulations (CFR). The Code is updated annually and contains fifty titles of current regulations.

The two publications, the Congressional Record and the Federal Register are available from a variety of sources. General copies are available for research in a state's law library, the library of a major university or college, or in a depository library in congressional districts. Copies of the entire Code or its separate titles may be purchased from the Government Printing Office (check the white pages phone book under U.S. Government for the number).

These documents should be fundamental resources for researching any federal programs. To direct the reader to other sources beyond the laws and regulations, a research bibliography is provided at the end of this book. Individuals planning to conduct further research should find both the citations listed throughout the text and the bibliography useful in their investigations.

Citations for the Current Laws and Regulations Affecting Vocational Education and and Vocational Rehabilitation

VOCATIONAL EDUCATION: The Vocational Education Act of 1963 (PL 88-210)
The Vocational Education Amendments of 1968 (PL 90-576)
The Elementary and Secondary Education Act Amendments of 1970 (PL 91-230)
The Education Amendments of 1972 (PL 92-318)
The Education Amendments of 1974 (PL 93-380)
The Education Amendments of 1976 (PL 94-482)
The Education of the Handicapped Act (PL 94-142)
Federal Regulations: 45 CFR Parts 104 and 105

VOCATIONAL REHABILITATION: The Vocational Rehabilitation Act of 1965 (PL 89-333)
The Rehabilitation Act of 1973 (PL 93-112)
The Rehabilitation Act Amendments of 1974 (PL 93-516)
The Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978 (PL 95-602)
Federal Regulations: 45 CFR Part 401, Section 1361

The national advocacy organizations affiliated with this project have developed and have available upon request program papers, issues analyses, and testimony on the topics discussed in this module. Some of these materials were used in the development of this module and are cited in the bibliography. Readers interested in continuing research should contact the Governmental Affairs offices of the national organizations to inquire about their materials in vocational education and vocational rehabilitation.

TABLE OF CONTENTS

Preface---------- i

Research Aides---------- ii

I. Historical Background---------- 1

A. Federal Administrative Offices---------- 7

II. Vocational Education---------- 15

A. Purposes of the Vocational Education Program---------- 15

B. Eligibility---------- 16
  1. Eligibility Requirements for States---------- 16
  2. Eligibility Requirements for Local Educational Agencies and Postsecondary Educational Institutions---------- 16
  3. Eligibility Requirements for Individuals---------- 17

C. Application---------- 20
  1. Application by States---------- 20
    a. General Application---------- 20
    b. Five-year State Plan---------- 22
    c. Annual Program Plan---------- 23
    d. Accountability Report---------- 24
    e. Annual Evaluation Report---------- 24
  2. Application by LEA's and Postsecondary Educational Institutions---------- 24
  3. Application by Individuals---------- 25

D. Services---------- 26
  1. Basic Grant---------- 27
  2. Program Improvement and Supportive Services---------- 33
  3. Consumer and Homemaking Education---------- 35
  4. Special Programs for the Disadvantaged---------- 36

E. State Planning Process---------- 37
  1. State Board---------- 37
  2. State Board Staff---------- 37
  3. Full-time Personnel---------- 37
  4. State Advisory Council---------- 38
  5. Five Year State Plan---------- 41
  6. Annual Program Plan---------- 43
  7. Accountability Report---------- 44
  8. Annual Evaluation Report---------- 44
  9. Certification of Plans---------- 44
  10. Approval of the Five-Year State Plan, Annual Program Plan, and Accountability Report---------- 45
  11. Withholding Approval---------- 45
  12. Hearing Before the Commissioner---------- 46
  13. Monitoring of Civil Rights Statutes---------- 46
  14. Conclusion---------- 48

F. Funding and Fiscal Requirements---------- 48
  1. Federal Share of Expenditures in Executing Annual Program Plan---------- 49
  2. National Priority Programs---------- 49

3. Federal Share of Expenditures- 100 Percent Payments----------50
4. Federal Share of Expenditures for State Administration--------50
5. Federal Share of Expenditures for Local Administration--------51
6. Minimum Percentages for the Handicapped, Disadvantaged, Postsecondary Programs, and Adult Vocational Education Students-51
7. Maintenance of Effort--52
8. Formula Grant Figures--52

G. Other Resources--53
1. Program Improvement--53
2. Indian Tribes--53
3. Training and Development Programs for Vocational Education Personnel--54
4. Emergency Assistance for Remodeling and Renovating Education Facilities--54
5. Bilingual Vocational Education-------------------------------54

H. Conclusion---55

II Vocational Rehabiliation--------------------------------------56

A. Purposes of the Vocational Rehabilitation Program------------56

B. Eligibility--57
1. Individual Eligibility---------------------------------------57
a. Order of Selection---59
2. Social Security Disability Beneficiaries---------------------60
3. Supplemental Security Income Recipients----------------------60
a. Selection Criteria---61
b. Order of Selection---62

C. Application Process---- -------------------------------------62
1. Preliminary Diagnostic Study---------------------------------62
2. Thorough Diagnostic Study------------------------------------63
a. Visually Impaired-------------- -----------------------------63
b. Hearing Impaired---63
c. Individuals with a Developmental Disability------------------64
3. Extended Evaluation--64
a. Termination of Extended Evaluation---------------------------64
4. Certification--65
5. Special Issues---65

D. Services---68
1. Services Available---69
a. Services to the Most Severely Handicapped Individuals-------69
b. Randolph-Shepard Vending Stand Program for the Blind--------72
2. Employment Opportunities for Handicapped Individuals --------74
a. Community Service Employment Programs for Handicapped Individuals---74
b. Projects with Industries-------------------------------------78
c. Business Opportunities for Handicapped Individuals----------79
3. American Indian Vocational Rehabilitation Services----------79
4. Management Services and Supervision for Small Business Enterprises--81

5. Establishment and Construction of Rehabilitation Facilities---- 81
6. Facilities and Services for Groups of Handicapped Individuals-- 85
7. Comprehensive Services for Independent Living----------------- 85
  a. Comprehensive Services-- 86
  b. Centers for Independent Living---------------------------------- 87
  c. Independent Living Services for Older Blind Individuals----- 88
  d. General Provisions-- 89
  e. Authorizations-- 90
8. Innovation and Expansion Grants-------------------------------- 90
  a. Uses of I and E Funds--- 91
9. Individual Case Records--- 92
10. Individualized Written Rehabilitation Program------------------ 93
11. Role of the Vocational Rehabilitation Counselor---------------- 96
12. Client Assistance Projects--------------------------------------100
13. Service Delivery--104
14. Purchase of Services Contract-----------------------------------105
15. Standards for Facilities and Providers of Services------------105
16. Participation by Handicapped Persons in the Costs of Services--106
17. Sheltered Workshops and Vocational Rehabilitation-------------108
    Work Activity Centers and Vocational Rehabilitation-----------111
18. Javits-Wagner-O'Day Program------------------------------------113
  a. Organization and Outreach---------------------------------------115
  b. Initial Steps and Procedures------------------------------------116
  c. Financing and Status of NISH------------------------------------117
  d. Conclusion--118

E. State Planning Process---120
1. Pre-Print for FY79 State Plan for Vocational Rehabilitation Services--121
2. Consolidated Rehabilitation Plan---------------------------------124
3. State Plan Review---124
4. Timetable---125
5. Witholding of Funds---125
6. Public Comment--126
7. Conclusion--127

F. National Council on the Handicapped-------------------------------128

G. Other Resources--133
1. Special Projects and Demonstrations: Improved Services to the Severely Handicapped-------------------------------133
2. Special Projects and Demonstrations: New Approaches to Service Delivery - Making Recreational Activities Accessible to the Handicapped--------------------------134
3. Grants for Services for Handicapped Migrating Agricultural Workers for Seasonal Farmworkers------------------------134
4. Projects with Industry--135
5. Projects for Vocational Training Services-----------------------136
6. National Institute of Handicapped Research----------------------136
  a. Interagency Committee on Handicapped Research---------------140
  b. Rehabilitation Research---141
  c. Research and Training Centers-----------------------------------142
  d. Rehabilitation Engineering Research Centers-------------------143
  e. Spinal Cord Injury Research Programs--------------------------144
  f. End-Stage Renal Disease Research Programs---------------------145

g. International Programs for Rehabilitation Research, Demonstration, and Training---------------------------------- 145
7. Rehabilitation Training-- 147
8. National Center for Deaf-Blind Youths and Adults-------------- 147
9. Program and Project Evaluation-------------------------------- 150
10. Technical Assistance-- 150
11. Conclusion--- 151

IV. Conclusion-- 152

CHARTS

1. Department of Health, Education and Welfare------------------------7

2. Education Division---8

3. Bureau of Occupational and Adult Education-------------------------9

4. Office of Human Development Services-------------------------------10

5. Rehabilitation Services Administration-----------------------------11

6. Parallel Agencies in Vocational Education and Vocational Rehabilitation Programs--12

7. State Plan Model--121

APPENDICES

1. Appendix I - Basic Grant Figures for Vocational Education: FY79----156

2. Appendix II - Formula Grant Figures for Vocational Rehabilitation: FY79---157

3. Appendix III - State Directors of Vocational Education------------159

4. Appendix IV - State Vocational Rehabilitation Agencies and State Agencies for the Blind--165

5. Appendix V - Services Definitions for Vocational Rehabilitation----173

6. Appendix VI - Research and Training Centers-----------------------180

7. Appendix VII - Rehabilitation Engineering Centers-----------------182

I. HISTORICAL BACKGROUND

Viewing vocational education and vocational rehabilitation from an historical perspective is helpful in understanding an appreciating current developments in these areas. Economic and social conditions as well as the concerns of legislators, federal agencies, and advocates have played a significant role in the advancement of both these programs.

Federal legislative involvements in these programs stem from the American pursuit of prosperity. In the United States, levels of employment and unemployment have served as indicators of economic and social growth. Individuals can satisfy their basic needs (food, clothing, and shelter) and often raise or maintain their level of self-esteem through employment. Furthermore, people in the labor force contribute to national productivity. Compared with many of the unemployed, they are not as dependent upon federal and state social welfare programs. To afford individuals the opportunity to join the labor market, to achieve a satisfactory level of self-esteem, and to contribute to national growth are the common goals of the vocational education and vocational rehabilitation programs.

These two programs use different approaches to achieve these goals. Vocational education prepares individuals for employment by providing them with a mixture of academic and vocational training. Vocational rehabilitation shares the concern for developing employment skills, but it focuses on those persons whose skills have been affected by the presence of a disability. Although these approaches are different and the programs are administered by separate federal agencies, the history of these programs suggests many parallel developments.

* * * *

The United States has always demonstrated a concern for the education of its people, although different historical periods reflect varying degrees of interest. The Tenth Amendment to the U.S. Constitution assured all Americans an education by delegating that responsibility to each state. But not until the latter half of the nineteenth century did vocational education receive federal endorsement with the enactment of the Morrill Act. This land-grant college program provided each state with the opportunity to expand its educational responsibility to include vocational education programs. In 1917, this provision was extended under the Smith-Hughes Act, which established agricultural education for high school students and for farmers already out of school. The Smith-Hughes Act also provided incentives to states to expand their vocational education programs into the fields of trade, industry, and home economics.

* * * *

In vocational rehabilitation, the developments were much later, although somewhat similar. The end of World War I marked the beginning of federal vocational rehabilitation programs. In appreciation of, and out of concern for returning veterans, the National Defense Act of 1916 was passed entitling them to receive vocational training services in preparation for employment after discharge. One year later, amendments to the War Risk Insurance Program established a federal policy which specifically expanded the delivery of vocational training services to disabled veterans. In 1918, the first federal Vocational Rehabilitation Act was passed. This act provided essential federal funding to implement the policy established under the War Risk Insurance Program, as well as instituted a vocational rehabilitation program for the first time. This initiative, however, was exclusively for disabled veterans. Not until the National Civilian Vocational Rehabilitation Act of 1920 were disabled civilians included in the program.

Between 1920 and 1930, the vocational rehabilitation program was extended twice, although the program's basic goals and appropriations remained relatively unchanged. However, in 1936, the vocational rehabilitation program was amended to include services to blind individuals, regardless of military status. The next two years saw specific programs developed in conjunction with this expansion. The Randolph-Shepard Vending Stand program established specific resources to set up vending stands on federal property which could be used as training and employment opportunities for blind individuals. The Wagner-O'Day program provided a mechanism through which federal procurement of selected commodities and services would be reserved for sheltered workshops serving blind individuals.

* * * *

World War II temporarily interrupted advancements in both the vocational education and vocational rehabilitation programs. With the United States committed to the war, all energies were directed toward military capabilities, war supplies, and equipment. All segments of the population, including disabled workers, were involved in wartime production.

The conclusion of the war meant a significant setback in employment for many disabled workers. Returning veterans rejoined the labor force and displaced disabled employees who had been involved in wartime production. Veterans also were first to fill the new jobs created during the post-war rebuilding efforts before disabled workers could be adequately trained through vocational education and vocational rehabilitation resources for new occupations.

To help the disabled, Congress passed the Vocational Rehabilitation Act Amendments of 1954. These amendments established the basis for a realistic and practical working partnership between public and private organizations to expand and improve vocational rehabilitation. In addition, the Hill-Burton Act was amended to authorize a new grant program to help finance the building of more rehabilitation facilities.

* * * *

In 1958, the National Defense Education Act gave vocational education programs in the technical and scientific fields a significant boost. The Act provided for training and retraining youths, adults, and older persons for employment in the new technical and scientific areas. Five years later, the Vocational Education Act of 1963 (PL 88-210) was passed to maintain, extend, and improve vocational education programs. It provided all persons with the opportunity to receive training in fields with potential for employment. For the first time, vocational education programs considered the manpower needs of industry in relation to the skills and capabilities of the labor force. Academic, socio-economic, and other handicaps were also given consideration in planning vocational education programs.

* * * *

The 1960's also witnessed significant changes in vocational rehabilitation. The Vocational Rehabilitation Act of 1965 enacted the first major revisions of the program in eleven years. It increased the federal share of program funding costs and established a program for constructing, expanding, and intially staffing rehabilitation centers and workshops. A new set of grant programs were started to upgrade workshops for the disabled. Funds were also authorized for statewide planning in order to encourage each state to assess its resources and develop strategies to establish services and facilities in area of greatest need.

The 1965 Vocational Rehabilitation Act created the first National Commission on Architectural Barriers to assure accessbility for persons in wheelchairs, on braces or crutches, or otherwise limited in their mobility. Other amendments to the program were enacted in 1967 and 1968.

The close of the sixties marked the fiftieth anniversary of the federal vocational rehabilitation program. During the early seventies, there were minor amendments enacted. The Rehabilitation Act of 1973 (PL 93-112), however, comprised a total legislative revamping of the federal-state rehabilitation program. This act mandated a national priority for services to the severely handicapped. It also revised the Architectural and Transportation Barriers

Compliance Board. More importantly, it instituted three landmark sections:

SECTION 501: Employment of Handicapped Individuals
SECTION 503: Nondiscrimination in Employment under Federal Contracts
SECTION 504: Nondiscrimination of Handicapped Individuals in Fedrally-Assisted Grants

These three sections in essence constitute a bill of rights for handicapped individuals. Collectively they will have far-reaching effects on federal programs in years to come. The Rehabilitation Act Amendments of 1974 (PL 93-516) further amended the 1973 Act but mostly reaffirmed the majority of the provisions of the original act.

The legislative authority for the vocational rehabilitation program expired on September 30, 1978. The entire program (state, national, and special aspects) faced the possibility of termination if Congress failed to enact extending legislation.

During the 1978 Congressional session, various House and Senate proposals were discussed. The end result was that Congress enacted the Comprehensive Rehabilitation Services Amendments of 1978 (H.R. 12467). There was much debate over whether President Carter would sign this bill into law because of concerns about duplication and inflation. Fortunately, President Carter signed the act into law on November 6, 1978. The major discussions in Section III of this module will concentrate on this current law and how it affects individuals with developmental disabilities.

* * * *

The Vocational Education Act of 1963 was significantly amended by the Vocational Education Amendments of 1968, PL 90-576. These amendments virtually modified all previous vocational education legislation. They removed a mandate for separate matching for specific program categories under the 1963 Act, thereby allowing greater flexibility in funding programs.

The 1968 Amendments marked the first time states were required to spend a specific percentage of their allotments for providing vocational education to persons with physical and mental handicaps. Beginning in fiscal year 1970, at least ten percent of the state's allotment was to be used for persons with handicaps.

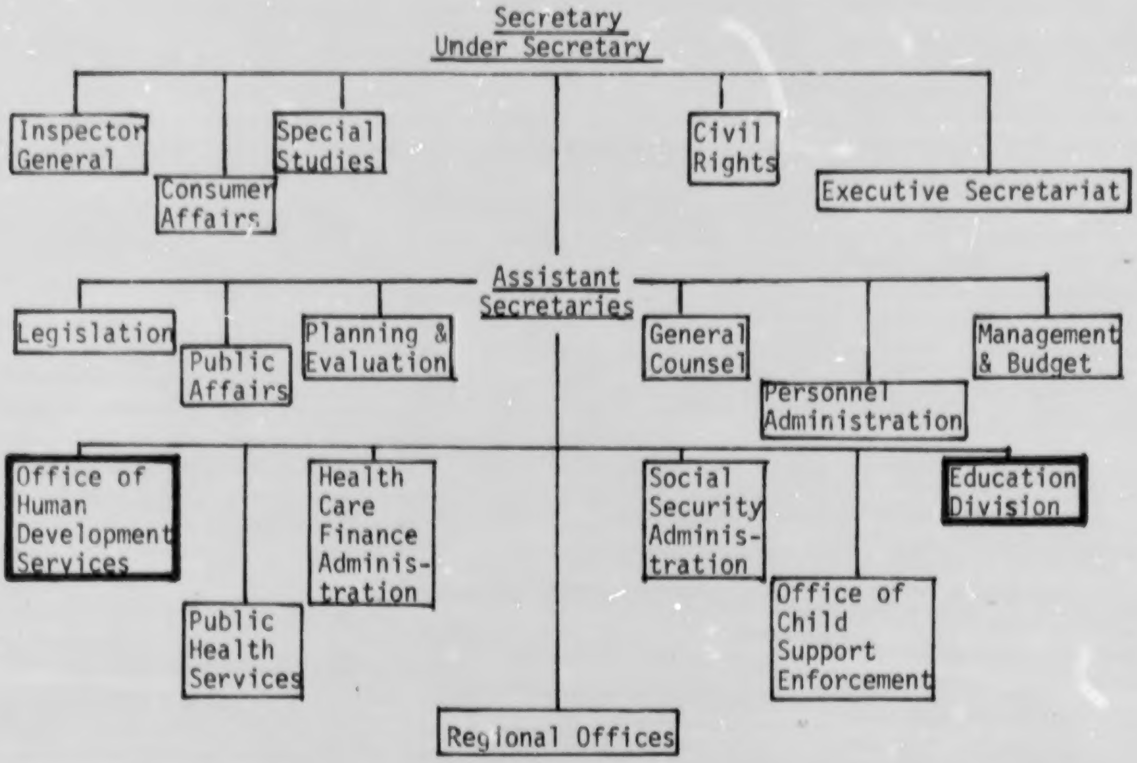
The 1968 Amendments affected earlier vocational education legislation in six general ways. They:

(1) narrowed the definition of the clientele to be served;
(2) expanded services;
(3) redirected priorities for the use of federal monies;
(4) designated programs designed to help the "hard to reach and the hard to teach" as a first priority;
(5) increased federal and state government influence on local vocational education programs; and
(6) introduced new programs.

Excepting the Education Amendments of 1976 (PL 94-482), most vocational education legislation to date merely expanded existing programs and increased state appropriations. The Education Amendments of 1976 established a significant consolidation of vocational education programs which will continue through fiscal year 1982. It is under PL 94-482 that federal vocational education programs currently operate. Section II of this book explains this law and how it applies to federally-supported state programs of vocational education for persons with developmental disabilities.

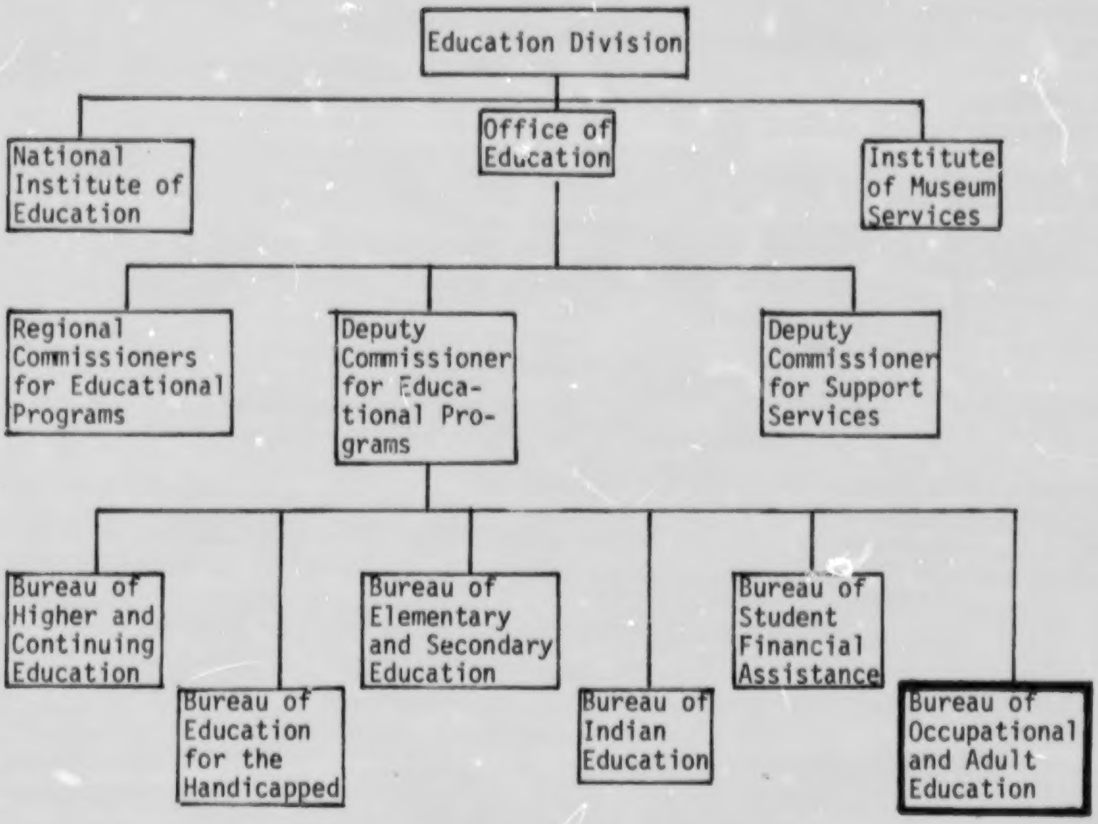
FEDERAL ADMINISTRATIVE OFFICES

Department of Health, Education and Welfare


Secretary
Under Secretary
Inspector General
Consumer Affairs
Special Studies
Civil Rights
Executive Secretariat
Assistant Secretaries
Legislation
Public Affairs
Planning & Evaluation
General Counsel
Personnel Administration
Management & Budget
Office of Human Development Services
Public Health Services
Health Care Finance Administration
Social Security Administration
Office of Child Support Enforcement
Education Division
Regional Offices

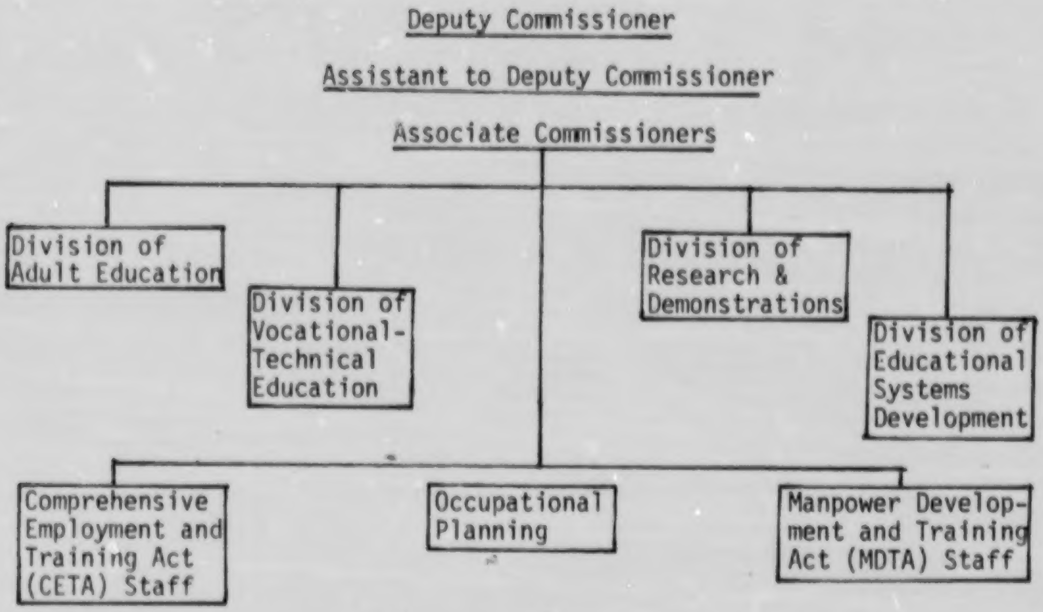
The United States Department of Health, Education, and Welfare (DHEW) was established in 1953. The Department represents a consolidation of the federal activities in health, education, and welfare under a single administration. DHEW has the responsibility of implementing a variety of federal mandates (i.e., formula grants, special projects and contracts, construction programs, assistance and insurance programs, and so on). The organizational chart above indicates the size of DHEW and its major subdivisions. (Note the Office of Human Development Services and the Education Division).

Education Division


Education Division
National Institute of Education
Office of Education
Institute of Museum Services
Regional Commissioners for Educational Programs
Deputy Commissioner for Educational Programs
Deputy Commissioner for Support Services
Bureau of Higher and Continuing Education
Bureau of Education for the Handicapped
Bureau of Elementary and Secondary Education
Bureau of Indian Education
Bureau of Student Financial Assistance
Bureau of Occupational and Adult Education

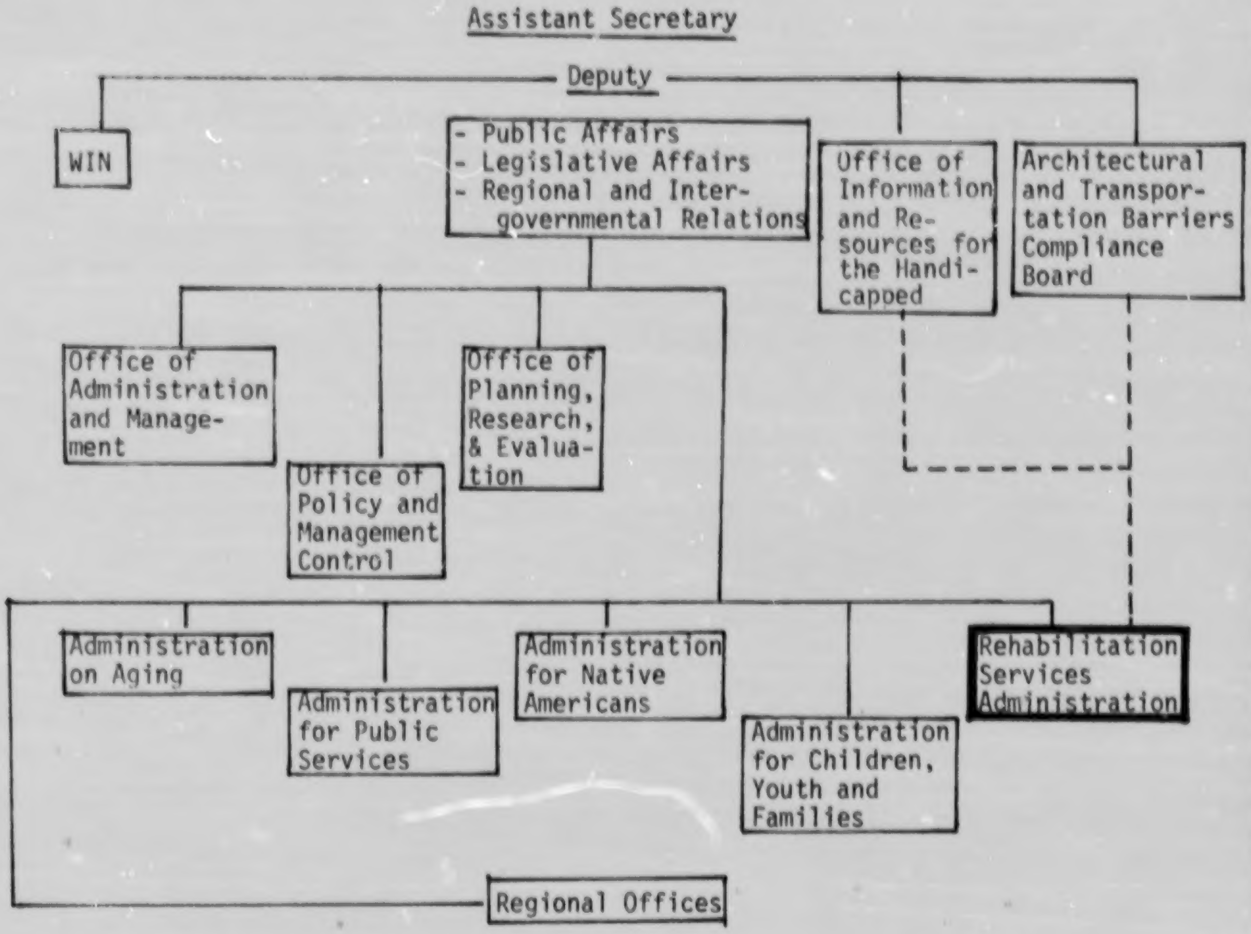
The chart above shows the agencies and offices of the Education Division. Within the Education Division, the Office of Education merits attention because it houses the Bureau of Occupational and Adult Education (BOAE). This bureau is directly responsible for the administration of state vocational education programs described in this module. BOAE is one of six bureaus under the Office of the Executive Deputy Commissioner for Educational Programs within the Office of Education.

Bureau of Occupational and Adult Education


Deputy Commissioner
Assistant to Deputy Commissioner
Associate Commissioners
Division of Adult Education
Division of Vocational-Technical Education
Division of Research & Demonstrations
Division of Educational Systems Development
Comprehensive Employment and Training Act (CETA) Staff
Occupational Planning
Manpower Development and Training Act (MDTA) Staff

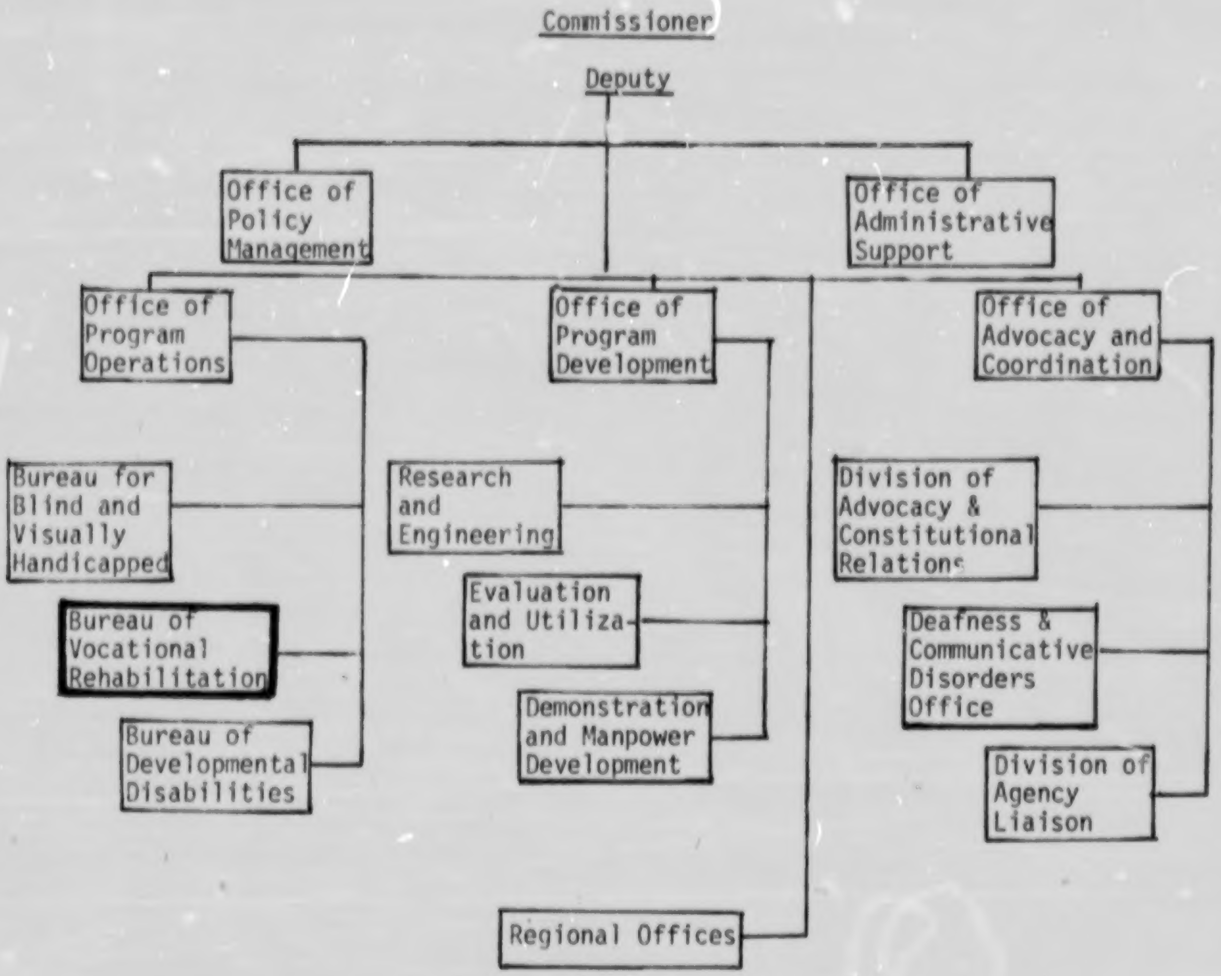
The organizational chart above shows the various divisions within BOAE. For more information about any of the divisions or offices in BOAE, call or write the Deputy Commissioner for Occupational and Adult Education, Dr. Daniel Dunham (202/245-8166).

Office of Human Development Services


Assistant Secretary
Deputy
WIN
- Public Affairs
- Legislative Affairs
- Regional and Intergovernmental Relations
Office of Information and Resources for the Handicapped
Architectural and Transportation Barriers Compliance Board
Office of Administration and Management
Office of Policy and Management Control
Office of Planning, Research, & Evaluation
Administration on Aging
Administration for Public Services
Administration for Native Americans
Administration for Children, Youth and Families
Rehabilitation Services Administration
Regional Offices

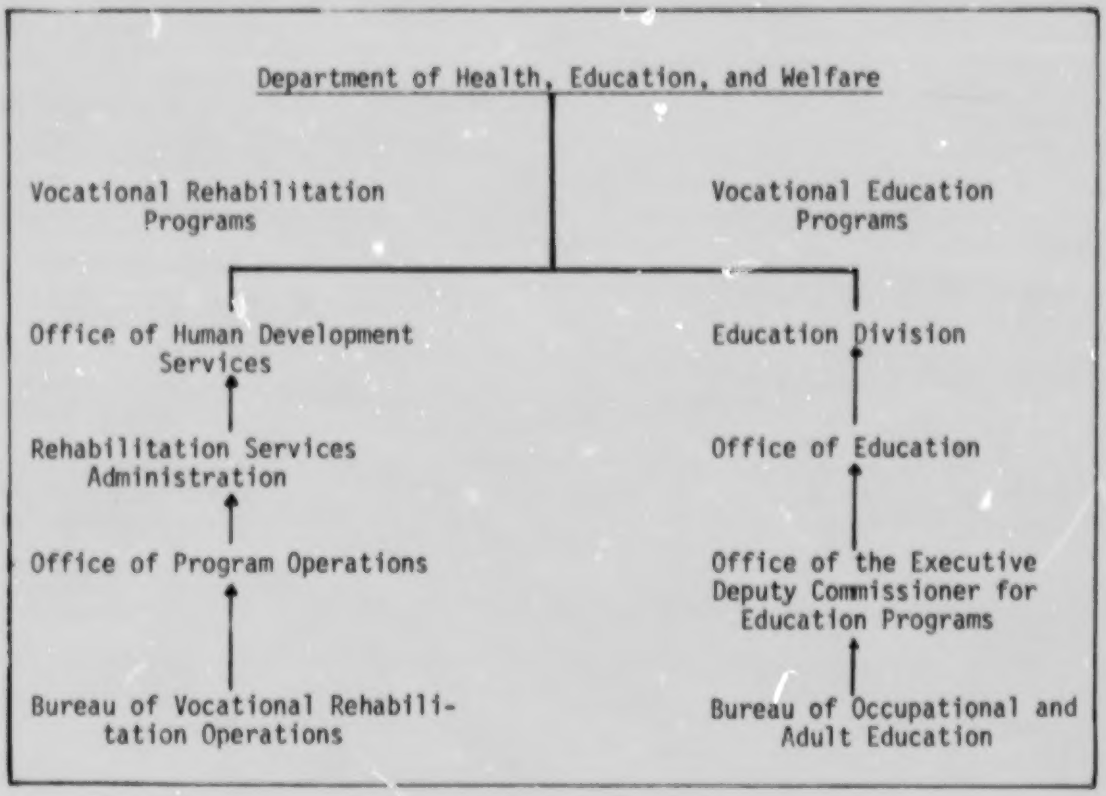
The Office of Human Development Services (OHDS) houses the Rehabilitation Services Administration (RSA) under which is located the Bureau of Vocational Rehabilitation Operations (BVRO). BVRO is directly responsible for the administration of state vocational rehabilitation formula grant programs. The diagram above indicates where in OHDS the RSA is located. Note that the RSA under OHDS is on a comparable administrative level to the Office of Education under the Education Division.

Rehabilitation Services Administration


Commissioner
Deputy
Office of Policy Management
Office of Administrative Support
Office of Program Operations
Office of Program Development
Office of Advocacy and Coordination
Bureau for Blind and Visually Handicapped
Bureau of Vocational Rehabilitation
Bureau of Developmental Disabilities
Research and Engineering
Evaluation and Utilization
Demonstration and Manpower Development
Division of Advocacy & Constitutional Relations
Deafness & Communicative Disorders Office
Division of Agency Liaison
Regional Offices

The Bureau of Vocational Rehabilitation Operations is one of three bureaus under the Office of Program Operations within RSA. The other two bureaus indicated above are the Bureau for the Blind and Visually Handicapped and the Bureau of Developmental Disabilities.

The parallels between the federal administrative offices responsible for state vocational education programs and for state vocational rehabilitation programs should be apparent at this point. These parallels are summarized in the diagram on the following page.


Department of Health, Education, and Welfare
Vocational Rehabilitation Programs
Vocational Education Programs
Office of Human Development Services
Education Division
Rehabilitation Services Administration
Office of Education
Office of Program Operations
Office of the Executive Deputy Commissioner for Education Programs
Bureau of Vocational Rehabilitation Operations
Bureau of Occupational and Adult Education

The Office of Education and the Rehabilitation Services Administration are conducting discussions to improve cooperation and coordination between vocational education and vocational rehabilitation programs. Their aim is to establish strategies for interagency cooperation in service provision to handicapped persons. The Bureau of Education for the Handicapped (BEH) in the Office of Education is also participating in these discussions. These agencies anticipate the development of:

> ...primary interagency and intradepartmental agreements needed in the appropriate comprehensive vocational education effort at the national level...(to)...encourage development of similar agreements at state and local levels.[1]

---

[1] Ernest L. Boyer, "Vocational Education of Handicapped Persons: Position Statement," Federal Register, 43(86) pp. 43388-43389.

The Secretary of DHEW and the Assistant Secretaries of the Office of Human Development Services and the Education Division can provide information about vocational education and vocational rehabilitation programs in addition to those explained in this book. For further information about the programs, call the offices of the Secretary of DHEW, Joseph A. Califano, Jr. (202/245-7000), the Assistant Secretary of Education, Mary Berry (202/245-8430), or the Assistant Secretary for Human Development Services, Arabella Martinez (202/245-7246).

II. VOCATIONAL EDUCATION

Four interrelated laws currently affect vocational education and training services for handicapped individuals. These laws are the Education of the Handicapped Act (PL 94-142); the Vocational Education Act of 1963 (PL 88-210), as amended by the Education Amendments of 1976 (PL 94-482); the Rehabilitation Act of 1973, as amended (PL 93-112 and PL 93-516); and the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978 (PL 95-602). Although individuals with developmental disabilities should avail themselves of the resources provided by each of these four laws, this module specifically discusses the services and programs as provided under the amended Vocational Education Act (VEA) and the Rehabilitation Act, as amended. Section II explains the goals, mandates, eligibility, application processes, and resources of state vocational education programs. Section III discusses these areas in reference to the vocational rehabilitation programs.

A. PURPOSES OF VOCATIONAL EDUCATION

Part A of the Vocational Education Act (VEA) is entitled "State Vocational Education Programs" and is designed to help states improve their planning for vocational education and manpower training. State planning for vocational education and training is based upon two factors: the use of all available resources and the input of agencies, groups, and employers concerned about vocational education. Part A also establishes the provision of federal grants to states in order to assist them to:

(1) extend, improve, and, where necessary, maintain existing programs of vocational education;
(2) develop new programs of vocational education;
(3) develop and carry out such programs of vocational education within each state so as to overcome sex discrimination and sex stereotyping in vocational education programs (including programs of homemaking), and thereby furnish equal opportunities in vocational education to persons of both sexes; and
(4) provide part-time employment for youths who need the earnings from such employment to continue their vocational training

> on a full-time basis so that persons of all ages in all communities of the States, those in high school, those who have completed or discontinued their formal education and are preparing to enter the labor market, those who have already entered the labor market, but need to upgrade their skills or learn new ones, those with special educational handicaps, and those in postsecondary schools, will have ready access to vocational training or retraining which is of high quality, which is realistic in light of actual or anticipated opportunities for gainful employment, and which is suited to their needs, interests, and ability to benefit from such training. (PL 94-482, §101)

B. ELIGIBILITY

There are three categories of eligible recipients of vocational education funding under Part A of the VEA: (1) states; (2) local educational agencies and postsecondary educational institutions; and (3) individuals. The order of these three categories as listed above reflects the flow of funds from the U.S. Commissioner of Education to the states, then to LEA's and postsecondary educational institutions, and finally to individuals. This means that individuals do not receive direct funding. Rather, direct funds are available to states for allocations to LEA's and postsecondary educational institutions providing services to individuals.

Eligibility Requirements for States

Funds are distributed to the states according to a specific formula. The formula considers the state's population in three age groups: those 15 to 19 years-old, those 20 to 24 years-old, and those 25 to 65 years-old. A state is entitled to receive the sum product of the formula once the Commissioner of Education, in cooperation with the appropriate regional director, approves the state's five-year and annual program plans and accountability reports. The contents and requirements of the state plan are discussed in Part E of this section.

Eligibility Requirements for Local Educational Agencies and Postsecondary Educational Institutions

Local educational agencies and postsecondary educational institutions are the second category of eligible recipients under the VEA. An LEA is "a board of education (or other legally constituted local school authority) having administrative control and direction of public elementary or secondary schools in a city, township, school district, or political subdivision of a state..." (20 U.S.C. 880(b)(1)). A postsecondary educational institution is a non-profit institution legally authorized to provide postsecondary education within a state to people at least 16 years-old who have graduated from or left elementary or secondary school without completing the program. The requirements for the establishment of LEA's and postsecondary educational institutions are explained in Part C of this section (see page 24).

Eligibility Requirements for Individuals

All persons in all communities are eligible for vocational education according to the VEA. This eligibility, however, is actually beyond the practical application of the program. Informal limits have emerged due to the emphasis of vocational education programs to prepare individuals for realistic gainful employment. Because the stated aim of providing vocational education services is to train a person for employment or to upgrade his skills for employment, the provision of services to students too young to be trained for a specific vocation is precluded. Some states do provide certain career-related services to elementary school students, but they do not train for skills which can be immediately translated into employment capabilities. Rather, they are preparatory for later vocational education programs. And a person sixty-five years or older is less likely to receive vocational education benefits than one twenty years younger, as state formula grant monies do not take into account the population over sixty-five years of age in any state.

Individual eligibility in vocational education actually depends on the specific programs or services for which one applies. Each of the services listed below provided by an LEA or postsecondary educational institution has specific criteria approved by the State board which a person must meet before he can participate in the program. The programs which may be provided by the basic grants to the states under the VEA include:

(a) vocational education programs
(b) work-study programs
(c) cooperative vocational education programs
(d) energy education programs
(e) provision of stipends
(f) placement services
(g) industrial arts programs
(h) support services for women
(i) day care services
(j) consumer and homemaking services
(k) construction and operation of residential vocational schools

General eligibility may include restrictions based on minimum age standards, need for training, academic standing in a vocational education program, economic need, former employment, and the like. Individuals wishing to participate in any of these programs should contact their State board on vocational education to find out if, to whom, and where they are provided. The State board should also have available the procedures used by the LEA or postsecondary educational institution for determining eligibility.

There are additional vocational education programs which must be provided under the VEA. States receiving federal funds must use at least 20 percent of their funds from the formula grants to support vocational development guidance and counseling programs. States must also use part of their VEA funds provided under separate authorizations for special vocational education programs for the disadvantaged and programs of consumer and homemaking education.

Individual eligibility to participate in vocational development guidance and counseling programs depends on which options a state chooses to provide and how LEA's and postsecondary educational institutions define eligibility requirements. Individuals eligible to participate in special programs for the disadvantaged must present evidence of an academic or economic disadvantage. An academically disadvantaged person is someone who lacks reading, writing, or mathematical skills or performs below grade level. An economically disadvantaged person is one whose family income is at or below the national poverty level; who is unemployed or whose parents or guardian is unemployed; who is a recipient or whose parent is a recipient of public assistance; or who is institutionalized or under State guardianship. This part of VEA funding is further restricted to academically or economically disadvantaged persons who need supportive services or special programs to enable them to meet state or LEA program requirements.

Eligibility for consumer and homemaking education programs depends on the requirements set forth by the LEA or postsecondary educational institution providing the program. Service providers are encouraged to give consideration to the aged, young children, school-aged parents, single parents, handicapped persons, and disadvantaged persons.

Individuals eligible as handicapped under the VEA are those who meet the definition of handicapped under the Education of the Handicapped Act as amended (PL 94-142). For a person to be considered handicapped under the VEA, he must be:

> (i) mentally retarded;
> (ii) hard of hearing;
> (iii) deaf;
> (iv) speech impaired;
> (v) visually impaired;
> (vi) seriously emotionally disturbed;
> (vii) orthopedically impaired; or
> (viii) other health impaired person, or persons with specific learning disabilities; and
>
> who, by reason of the above:
> (a) requires special education and related services, and
> (b) cannot succeed in the regular vocational education program without special educational assistance; or
> (c) requires a modified vocational education program.
> (45 CFR §121a5(b))

Individuals with developmental disabilities and their advocates should check with their State Department of Education to determine if it follows documented standards for deciding which students require special education or special educational assistance. Consumers and advocates should also question the State superintendent and local school boards if the state and the boards have established policies to ensure that handicapped students are educated with nonhandicapped students to the maximum extent possible.

C. APPLICATION

The specific application procedures needed to receive VEA funds or services vary according to the program and type of recipient applying. States, LEA's and postsecondary educational institutions, and individuals follow different application processes. For example, whether a service or program is aimed at improving arts education will determine in part who can apply and how to apply.

Application by States

In order to obtain and continue to receive VEA funds, a state must submit a series of documents to the U.S. Commissioner of Education. There are five noteworthy documents involved in this application process: (a) a general application of twelve assurances of compliance to federal regulations; (b) a five-year state plan; (c) an annual program plan; (d) an annual accountability report; and (e) an annual evaluation report.

(a) General Application - The general application, the first part of the application process, must be submitted by the State board for vocational education. Therefore, a State board must be established before the application can be submitted. The VEA describes in detail the required membership, functions, duties, and objectives of the State board. These are discussed in Part E of this section.

The general application is submitted only once and is maintained on file in the Commissioner's office. Many states have submitted this application as the initial pages of their five-year state plan rather than provide a separate document to the Commissioner. The application contains assurances guaranteeing that:

(1) the state will provide proper and efficient administration

of vocational education programs;

(2) the State board will cooperate with the State advisory council on vocational education and all other required bodies in formulating the necessary documents and in executing its duties;

(3) the State will provide the Commissioner with the required reports:

(4) funds will be distributed to LEA's and postsecondary educational institutions on the basis of annual applications submitted to the State board;

(5) (a) the state will give priority to agencies and institutions: (i) located in depressed or poor areas that need federal assistance to provide adequate vocational education services; (ii) that propose new programs to meet emerging manpower needs; (b) the State will base the distribution of funds on relevant economic, social, and demographic factors, except that: (i) in the case of LEA's the state will base distribution on the relative financial ability of such agencies and the relative number of low-income families within such agencies; and in the case of other recipients, distribution is based on relative financial ability of the agencies and the relative number of students in their programs whose education imposes higher than average costs; and (ii) the State won't allocate funds on the basis of per capita enrollment or through matching of local expenditures on a uniform percentage basis and it won't deny funds to a community unable to pay the non-federal share of the cost of new programs;

(6) federal funds will supplement and increase but never supplant state or local funds;

(7) the state will provide for proper fiscal control and fund accounting procedures for the federal funds paid to the state;

(8) VEA funds will only be used for vocational education programs which prepare students for employment, or are necessary to prepare them to complete such a program, or significantly aid students to make an informed and meaningful career choice (excepting homemaking, renovation, and personnel training programs);

(9) the state has proper policies to ensure that copies of vocational education documents issued by the Board or other state agencies will be made reasonably available to the public;

(10) VEA funds will be used in a manner consistent with the state plan submitted under the Education of the Handicapped Act;

(11) the State board will cooperate with the Administrator of the National Center for Educational Statistics of DHEW; and

(12) the State board will assure that students served by Indian tribal organizations applying for, or receiving funds under the VEA will be able to participate in state vocational education programs.

Once the Board's executive officer signs the application, then it is sent to the Commissioner. The process is intended to ensure that a state will live up to its assurances even before it receives any of the federal vocational education funds.

The tenth assurance listed above has the greatest potential impact on handicapped vocational education students: vocational education funds must be used in a manner consistent with the state plan submitted under the Education of the Handicapped Act (EHA). This provision reflects the increasing realization of the need to coordinate services under the EHA and the VEA state plans. Section 104.5 of the Federal Regulations for the VEA requires the state educational agency to be responsible for ensuring that all educational programs for handicapped children within the state, including those related to vocational education, are under the general supervision of persons responsible for educational programs for handicapped children in the state educational agency. Between this supervision and the general assurances, the consistency of objectives and individualized program efforts of special education and vocational education programs should increase with time.

The federal regulations for the VEA further require that all of the rights guaranteed under the EHA are extended to handicapped secondary school children who receive VEA services. This means that the right to due process for parents of handicapped students is protected. Parents have the right to participate in the development of the individualized education program, to accept or reject proposed educational plans, and to request an impartial due process hearing if they are dissatisfied with a decision made by the educational agency. A parent may not, however, hold any agency, teacher, or other person accountable if his child does not achieve the growth predicted in his plan's annual objectives (see the EHA §121a.399 and §121a.500-§121a.514).

In addition to forming a State board on vocational education, the state must also establish a State advisory council on vocational education before it is eligible to receive VEA funding. While the Board is the sole agency responsible for the administration, or supervision of the administration of the state's VEA programs, the advisory council advises the Board and makes recommendations to it about policies, procedures, and programming.

(b) Five-year State Plan - The second document required of a state desiring to obtain and maintain VEA funding is the five-year state plan. The State board is responsible for the development of this plan, and prepares it taking into consideration the advice and recommendations of the State advisory council.

State boards submitted their five-year state plans serving fiscal years 1978 to 1982 to the Commissioner before July 1, 1977. The plan that will serve during fiscal years 1983 to 1987 will be in the Commissioner's office by July 1, 1982. The plan must be submitted by the July 1st preceding the year for which the plan is to take effect.

The five-year state plan which the state submits is composed of two main parts: the procedures the state intends to use to execute assurances as stated in the general application and a series of program provisions. These two parts describe on what basis the State board decides to fund eligible recipients, how the State board will distribute the funds, and how funds for vocational programs for the handicapped are used in accordance with the requirements of the Education of the Handicapped Act. The plan also contains an assessment of employment opportunities, a description of the goals the state will seek to achieve in order to meet employment needs, and a description of how the state will use funds provided under the Act to meet these employment and program needs. The plan explains the state's design to meet the vocational education program and funding needs over a five-year period.

(c) Annual Program Plan - The annual program plan outlines the state's plan to meet the vocational education needs with respect to programs and funding over a one-year time period. The annual program plan details the proposed distribution of such funds among eligible recipients and analyzes how the distribution matches the state's procedures to assure compliance with its general application. It contains any updating of the five-year state plan considered necessary to reflect more accurate employment data or a different level of funding than was anticipated and a description of how expenditures of proposed funds for the fiscal year will be maintained or changed. Like the five-year plan, the annual program plan is developed by the State board in consultation with the State advisory council.

(d) Accountability Report - The fourth document also follows the same route of submission for approval as does the annual program plan. Accountability reports are developed by the State board in cooperation with the State advisory council. Unlike the plans, the accountability report is developed at the end of the fiscal year. It describes the vocational education activities in a state during the preceding year and shows the extent to which the state has achieved the goals of the approved five-year state plan.

(e) Annual Evaluation Report - The accountability report bears an important relationship to the fifth document, the annual evaluation report. Both reports demonstrate the extent to which the activities, programs, services, and funding as indicated in the five-year state plan have served to meet the vocational education needs of the people in the state. But the annual evaluation report also contains recommended changes in programs and services as considered necessary by the State advisory council based on the results of its evaluation, and assesses the extent to which vocational education, vocational rehabilitation, employment training, special education, and other programs under the VEA and related acts represent a consistent, integrated, and coordinated approach to meeting vocational education needs.

Of the five documents, the general application is the only one which is submitted only once in the process to obtain funds. The five-year state plan must be submitted every five years, and the annual program plan each year to secure VEA funding. The annual evaluation report and the accountability report are prepared and submitted every year to maintain VEA support of vocational education in the state.

Application by Local Educational Agencies and Postsecondary Educational Institutions

Local educational agencies and postsecondary educational institutions must apply annually to the state in order to receive federal VEA monies. As states need State advisory councils before they can submit their plans to the Commissioner, so LEA's and postsecondary educational institutions must establish local advisory councils on vocational education to receive funding from the state. Eligible recipients may establish a council on the basis of program areas, schools, community, or region where they are located. A local advisory council consists of representatives of the general public and includes at least one representative each of business, industry, and labor. The membership reflects an appropriate representation of both sexes and the racial and ethnic minorities found in the program area or geographic area served by the council.

Program advisory committees may substitute for local advisory councils under the VEA. These committees are composed of representatives from several craft groups or from several school councils. Business, industry, and labor must be represented on the committees.

Local advisory councils advise the LEA's or postsecondary educational institutions on current area job needs, the relevance of programs offered by the recipient in meeting those needs, and the preparation of the applications to the State board. The applications serve as the basis for selection as a recipient by the State board. Each application varies depending on the program for which the eligible recipient applies for funding.

Application by Individuals

Individuals wishing to participate in any of the vocational education programs funded under the VEA basic grant to the state (vocational education classes, cooperative vocational education, work-study, energy education, provision of stipends, placement services, industrial arts, support services for women, day care services, vocational education for displaced homemakers and special groups) must apply directly to the LEA or postsecondary educational institution providing the service or administering the program. Persons interested in participating in vocational development guidance and counseling services, vocational education personnel training, special programs for the disadvantaged, and consumer and homemaking education programs should talk with their State board or local educational agency to determine whether or not a particular program exists within their geographic area. The agency or board should be able to describe the qualifications required to participate in the program.

Persons interested in vocational education programs are encouraged to attend the public meeting held by the State advisory council on vocational education each year. At this meeting, the public is given the opportunity to express its views, needs, and concerns. This meeting may provide a chance for advocates for vocational education, special education, and vocational rehabilitation for the handicapped to meet and begin or to continue the development of a systematic communications network to promote a comprehensive and coordinated approach to vocational education services.

Although certain of the aforementioned programs are required, states are not required to maintain all of the programs to receive VEA funding. Advocates for vocational programs should carefully examine which programs are funded and which potential services that could meet state and local needs are not provided. They should use the public meeting as a channel to inform the State council which programs they believe would benefit citizens in their state.

D. SERVICES

Each state may provide a wide variety of services with federal assistance under the VEA. Some programs and services are required if a state receives federal funding; others are optional. States determine which programs, services, and activities will be provided after evaluating the vocational education needs of the potential students in their state and examining the possible resources for providing services to meet those needs. States must use federal funds from their basic grants to cover the expenses of the required programs (indicated below) but may use any of the remaining funds to supplement other specific expenses (see §104.303, §104.502, and §104.701).

There are four sources of federal dollars which are tapped under the VEA in providing state vocational education services: the basic grant, funding for program improvement and supportive services, funding for special programs for the disadvantaged, and funding for consumer and homemaking education. Other funding for programs of national significance, bilingual vocational training, and emergency assistance for remodeling and renovation of vocational education facilities is also available on a contract or grant basis to agencies and institutions. These latter three programs are discussed below (see page 53), as they do not follow the general processes of the basic state program.

Basic Grant (§104.501-§104.634)

A basic grant is a sum of money equal to 80 percent of the total funds allotted to a state for carrying out the purposes of the basic grant programs and program improvement and supportive services. For a list of basic grant allotments for fiscal year 1979, see Appendix I.

Each state must spend at least $50,000 of its basic grant each fiscal year year to support full-time personnel to help the State board eliminate sex discrimination and sex stereotyping in vocational education programs (see page 34). It is also required to spend an appropriate amount of funds from the monies provided under the basic grant for special programs and placement services for displaced homemakers and other special groups. This category includes people who are former homemakers who now must seek employment; current homemakers and part-time workers wishing to secure a full-time job; single heads of households who have inadequate job skills; women wishing to enter job areas traditionally limited to men; and men wishing to enter job fields traditionally limited to women. Services for these groups must include organized educational programs necessary to prepare these special groups for employment, special courses to prepare them how to seek employment, and placement services.

Each state may use the balance of the funds available under the basic grant, in accordance with the approved five-year and annual program plans, for any of the following services listed below numbered one through eleven.

(1) Vocational education programs - (§104.511-§104.512) Vocational education programs are "organized educational programs which are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation (upgrading and retraining) for a career requiring other than a baccalaureate or advanced degree" (§104.512(b)). An organized educational program is considered instruction related to the occupation for which a student is in training, as well as the acquisition, maintenance, and repair of instructional supplies, teaching aids, and equipment. Vocational education programs do not include providing for the construction, acquisition, or initial equipment of buildings, or the acquisition or rental of land. Vocational instruction that may be provided under the VEA includes classroom instruction; classroom related field, shop, and laboratory work; programs providing occupational work experiences; remedial programs; and activities of significant student organizations (§104.512(b)). Persons with a handicap who require remedial instruction in order to correct a deficiency barring them from vocational training and employment should ask the State board if remedial programs are provided.

A state may decide under the VEA to provide vocational instruction on an individual or group basis through private or other vocational training institutions on the basis of written contracts with the State board or local educational agency. Instruction to be provided must be conducted as part of the state's vocational education program and constitute a reasonable and prudent use of funds.

States have the option of providing related instruction for apprentices who are employed to learn skilled trades. If states choose to do so, they must provide assurances in the five-year state plan as specified by law (§104.515). Standards of apprenticeship programs under vocational education training must adhere to the requirements outlined in the regulations under the Department of Labor Apprenticeship Programs (29 CFR Part 29).

(2) Work-study programs - (§104.521-§104.523) States may use VEA basic grant funds to provide approved work-study programs. Federal funds used for this purpose may be expended only to pay or compensate students employed in the program.

Work-study programs support part-time employment for financially needy students who attend school full-time and who are at least fifteen years of age and less than twenty-one at the start of employment. Work-study programs are administered by the LEA and should be reasonably available to all youths in the area.

(3) Cooperative vocational education programs - (§104.531-§104.533) States may use VEA funding to fund local educational agencies so that they might establish or expand cooperative vocational education programs. A cooperative vocational education program is a "program of vocational education for persons who, through written cooperative arrangements between the school and employers, receive instruction, including required academic courses and related vocational instruction by alternation of study in school with a job in any occupational field...these two experiences must be planned and supervised by the school and employers so that each contributes to the student's education and to his or her employability. Work periods and school attendance may be on alternate half-days, full days, weeks, or other periods of time in fulfilling the cooperative program" (§195(18); 20 U.S.C. 2461).

LEA's may only use funds to develop and operate cooperative vocational education programs which provide training opportunities that might not otherwise be available and which are designed to serve persons who will benefit from such programs. Under these programs, the LEA's are also responsible for reimbursing employers for added costs of students receiving on-the-job training provided that the training is related to existing career opportunities possibly leading to advancement, and does not displace other workers who perform the work.

States using basic grant funds to support cooperative vocational education programs are required to consult with their appropriate non-profit private schools to identify students in those schools who would benefit from such programs. Furthermore, these students must be provided with the opportunity to participate in whatever cooperative vocational education programs local educational agencies administer.

Students with developmental disabilities in non-profit private schools are encouraged to seek out the cooperative vocational education programs which operate in their state. If an LEA provides cooperative vocational education services to nonhandicapped students, it must provide them to students with developmental disabilities who are determined by the LEA as needing such services.

(4) Energy education programs - (§104.542) States may use funds as provided in their basic grants under the VEA to provide monies to postsecondary educational institutions for energy education programs related to coal and coal mining. These institutions may also apply for funds to carry out educational training programs in solar energy.

(5) Construction of area vocational education school facilities - (§104.552)

States have the option of using funds provided under the VEA basic grant for the construction of area vocational education school facilities. Facilities must fall into certain specified categories in order to be funded. These categories are detailed in the federal regulations. Any building constructed with VEA funds must meet the requirements of the Architectural Barriers Act of 1968.

(6) Provision of stipends - (§104.571-§104.574) States may use VEA basic grant funds to provide stipends to students. Students must be entering or already enrolled in vocational education programs and have acute economic needs which cannot be met under any alternate vocational education programs. Those receiving stipends must be paid at acceptable rates outlined in the federal regulations.

(7) Placement services for students who have successfully completed vocational education programs - (§104.581-§104.583) States may use funds from their basic grants to provide placement services to students who have successfully completed vocational education programs. Placement services may be funded only if inadequate funding or services exist in other programs providing similar activities.

(8) Industrial arts - (§104.591-§104.592) A state may opt to use some of its basic grant to provide industrial arts programs. Industrial arts education programs are programs which:

(a) pertain to the body of related subject matter, or related courses, organized for the development of understanding about all aspects of industry and technology, including learning experiences involving activities such as experimenting, designing, constructing, evaluating, and using tools, machines, materials, and processes; and
(b) assist individuals in making informed and meaningful occupational choices or which prepare them for entry into advanced trade and industrial or technical education programs. (§195(15) 20 U.S.C. 2461)

Such programs must also be designed to aid in the elimination of sex stereotyping.

(9) Support services for women - (§104.601-§104.603) A state may use basic grant funds to provide support services for women who enter vocational education programs designed to prepare individuals for employment in fields that have been traditionally limited to men. Four types of support services for women which may be provided are outlined in the federal regulations. They include

counseling, job development, job follow-up, and support to increase the number of women instructors involved in training individuals in programs which have traditionally enrolled mostly males.

(10) Day care services for children of students - (§104.611-§104.612) States may choose to use funds under their basic grant to provide day care services for preschool and school-age children of students in secondary and postsecondary vocational education programs.

(11) Construction and operation of residential vocational schools - (§104.631-§104.634) Basic grant funds may be used to construct, equip, and operate residential vocational schools. A residential vocational school is "an institution which provides vocational education for youths...who are at least 15 years of age and less than 21 years of age at the time of enrollment, and who need full-time study on a residential basis in order to benefit fully from the education." Basic grant funds may also be used to provide board and other necessities to students attending such schools. Although using funds for these purposes seems worthwhile, states have yet to use VEA funds for these ends, according to a program specialist in the Bureau of Occupational and Adult Education.

Parents and advocates of indivduals with handicaps should consider a number of questions with respect to vocational education services provided under the basic grant. They should ask the LEA or postsecondary educational institution to document the efforts made to place handicapped students in regular vocational programs with support services. If a student with a developmental disability is not allowed in the regular classroom, parents, consumer, and advocates should ask the LEA or postsecondary educational institution to describe the nature of the problem restricting the student from attending the regular class with supplementary services. And if a handicapped student cannot participate in a regular vocational education program, his parents or advocate should check to see if alternative placements are available.

Program Improvement and Supportive Services (§104.701-§104.708)

Each state receiving funding from the VEA receives an allotment to be used for program improvement and supportive services. A state must spend 20 percent of the appropriation which includes the basic grant monies for the improvement of vocational education programs and supportive services. At least 20 percent of these funds (monies for program improvement and supportive services) must be used to support vocational development guidance and counseling programs, services, and activities. States may support any one of a number of options in providing these guidance and counseling programs (see §104.763). Local educational agencies and postsecondary educational institutions providing these programs must use funds to:

(a) bring individuals with experience in business and industry, the professions, and other occupational pursuits into schools as counselors or advisors for students;
(b) bring students into the work establishments of business and industry, the professions, and other occupations to acquaint them with the nature of the work accomplished; and
(c) enable guidance counselors to obtain experience in business and industry, the professions, and other occupational pursuits which will better enable those counselors to carry out their duties.

Advocates for individuals with a developmental disability are encouraged to examine their state's vocational education program to determine which vocational development and counseling programs are provided as well as to determine how effectively they are meeting the needs of the developmentally disabled. The law requires that vocational guidance and counseling for students with handicaps must be provided in a regular setting to the maximum extent possible. Advocates and consumers should ask if the state has provided vocational guidance and counseling for all handicapped vocational education students in as integrated a setting as possible.

With the remaining eighty percent of the program improvement and supportive service funds, a state may fund any of the following programs:

(1) Program improvement - (§104.702) Program improvement is designed to improve vocational education through research programs, exemplary and innovative programs, and curriculum development programs. In order to spend funds on program improvement, a state must establish a research coordinating unit (RCU) for the coordination of these programs. States have latitude in determining the organizational structure of the RCU but are required to describe in the five-year and annual program plans how the RCU is organized, how it plans to operate, and how it will disseminate the funds and results of the program improvement activities.

(2) Vocational education personnel training - (§104.771) States may use their program improvement and supportive services funds to provide vocational education personnel training to improve the qualifications of persons serving or preparing to serve in vocational education programs (i.e., teachers, administrators, supervisors, and vocational guidance and counseling personnel). Training includes, but is not limited to, training for vocational education in new and emerging occupations; in-service training to improve programs and overcome sex bias and sex stereotyping; training to prepare journeymen in skilled trades or occupations for teaching positions; and training for teachers and supervisors to improve the quality of their instruction, supervision, and administration of vocational education for persons who are disadvantaged, handicapped, or persons of limited English-speaking ability, and to train counselors to meet the special needs of these persons.

(3) Grants to overcome sex bias and sex stereotyping - (§104.791) States may use program improvement and supportive services funds to support activities designed to overcome sex bias and sex stereotyping in vocational education. Funds may be used for projects to develop curriculum materials free from sex stereotyping and training to acquaint guidance counselors and teachers with ways of effectively overcoming sex bias and sex stereotyping.

In addition to these three optional programs, part of the costs of state administration of the state plans and of local supervision and administration of vocational education programs, services, and activities is paid from the allotment for basic grant programs and program improvement and supportive services.

Advocates for individuals with developmental disabilities should inquire of the State board whether it has specific guidelines as to the nature and extent of preparatory and in-service training needed for professional and support personnel involved in vocational education programs serving handicapped students. They can also ask if special education teachers are receiving adequate and appropriate training to help in students' career development.

Another consideration for advocates and consumers is whether or not handicapped students are being familiarized with a broad range of occupations and informed of the needed skills for those occupations. Does the State board develop and circulate informational material on vocational education programs for the handicapped? If not, resources provided under program improvement and supportive services may be used toward either of these ends.

Consumer and Homemaking Education (§104.901-§104.966)

Each state receiving VEA funds is allotted a separate fund for the purpose of providing programs in consumer and homemaking education and ancillary services in relation to such programs. Unlike most other vocational education programs, consumer and homemaking education may be conducted at all educational levels (elementary, secondary, postsecondary, or adult). Such programs are based on instruction in the areas of consumer education, food and nutrition, family living and parenthood education, child development and guidance, housing and home management, and clothing and textiles.

Consumer and homemaking program funds may only be used to support programs that:

(a) encourage participation of males and females to prepare for combining the roles of homemakers and wage earners;
(b) encourage elimination of sex stereotyping by promoting the development of appropriate curriculum materials;
(c) give greater consideration to economic, social, and cultural conditions and needs, especially in economically depressed areas, and where appropriate, to bilingual instruction;
(d) encourage LEA's and postsecondary educational institutions to operate outreach programs in communities for youth and adults, giving consideration to their special needs, such as to the aged, young children, school-aged parents, single parents, handicapped persons, educationally disadvantaged persons; programs connected with health care delivery systems; and programs providing services for courts and correctional institutions;
(e) prepare males and females who have entered or are preparing to enter into the work of the home; and
(f) emphasize the following areas in order to meet current and societal needs: consumer education, management of resources, promotion of nutritional knowledge and food use, and promotion of parenthood education.

A state may use consumer and homemaking education funds to provide ancillary services, activities, and other means of assuring quality in consumer and homemaking education. Ancillary services may include teacher training, teacher supervision, curriculum development, research, program evaluation, demonstration and experimental programs, development of curriculum materials, exemplary projects, state administration and leadership, and guidance and counseling.

Special Programs for the Disadvantaged (§104.807 - §104.804)

Each State receiving funds under the VEA must use the funds allocated to it from a separate authorization for special programs for the disadvantaged. The programs should be in areas of high concentration of school dropouts or youth employment.

Individuals are encouraged to examine the services outlined above to see which ones would meet their vocational education needs. Active representation of consumers and advocates in the state planning process can provide members of the state board and advisory council with a realistic understanding of what services are needed in their state.

E. STATE PLANNING PROCESS

States must submit and have approved a series of documents in order to receive and maintain VEA funding. The State board and State advisory council perform essential functions in this process. The duties, functions, and membership requirements of these bodies as they relate to the state planning process and the elements of the process itself are discussed in this section.

State Board (§104.31 - §104.33)

The State board is designated or established through state governmental procedures. It may be elected by the state legislature or by the eligible voters in the state. The Board is responsible for the planning process itself, while the Council has the more limited function of serving as an advisory committee which guides the process along.

The State board coordinates the development of policy with respect to the services it provides under the Act. The Board also coordinates the development of the five-year state plan, the annual program plan, and the accountability report, and submits these documents to the Commissioner after consulting with the State advisory council and other appropriate bodies. It is also responsible for developing information required for a national vocational education data reporting and accounting system.

State Board Staff (§104.34)

The State board works in conjunction with its own staff. Members of the staff must be sufficient in number and have the necessary educational and experiential qualifications to assist the Board in carrying out its responsibilities. This staff is headed by a full-time director.

Full-time Personnel (§104.71-§104.76)

The State board is also assisted by full-time personnel who are hired to eliminate sex bias, sex discrimination, and sex stereotyping. How is this elimination accomplished? The federal regulations (§104.75) outline ten duties including such activities as:

- (a) taking necessary action to create awareness of programs and activities in vocational education designed to reduce sex bias and sex stereotyping;
- (b) gathering, analyzing, and disseminating data on the status of women and men involved in state vocational education programs;
- (c) reviewing the distribution of grants and contracts by the state board to assure the needs of women are addressed;
- (d) reviewing all vocational education programs in the state for sex bias;
- (e) assisting LEA's and other parties to improve vocational education programs; and
- (f) reviewing and submitting recommendations to overcome sex bias, discrimination, and stereotyping in vocational education programs in the state plans.

The State board's staff and the personnel concerned with sex bias are not intended to be the same individuals.

State Advisory Council (§104.91-§104.97)

The vocational education planning process cannot be accomplished without the State advisory council. The Council is composed of a wide range of individuals involved in, or concerned with, vocational education in the state. It is appointed by the governor of the state, unless the state elects the members of the State board. In that case, the State board may apppoint the members of the State advisory council. In either case, the establishment and required membership of the State advisory council must be certified for the Commissioner at least 90 days prior to the start of each fiscal year. This certification is attached to the five-year state plan and annual program plan.

The membership requirements of the Council are elaborate. The federal regulations list 20 areas which must be represented on the Council and four special considerations which must be observed (see §104.92). These 20 categories include, but are not limited to, persons who:

- (a) represent, and are familiar with, the vocational needs and problems of management, labor, and agriculture in the state;
- (b) represent state industrial and economic development agencies;
- (c) represent community and junior colleges;
- (d) represent other institutions of higher education or institutions which provide programs of vocational or technical training;

(e) have special knowledge, experience, or qualifications with respect to vocational education but are not involved in the administration of state or local vocational education programs;
(f) represent, and are familiar with, nonprofit private schools and public programs of vocational education in secondary schools;
(g) represent vocational guidance or state correctional institutions;
(h) are vocational education teachers, administrators, or superintendents in local educational agencies;
(i) represent school systems with large concentrations of persons who have special academic, social, economic, and cultural needs and of persons who have limited English-speaking ability;
(j) are women with backgrounds and experiences in employment and training programs, and who are knowledgeable about problems of sex discrimination and stereotyping;
* (k) have special knowledge, experience, or qualifications with respect to the special educational needs of physically or mentally handicapped persons;
(l) represent the general public, including at least one person representing and knowledgeable about the poor and disadvantaged; and
(m) are vocational education students who are not qualified for membership under any of the above requirements.

The four special considerations further restrict the membership: (1) the majority of members on the Council must not be educational instructors or administrators; (2) members of the Council may represent only one of the twenty categories; (3) their membership must reflect an appropriate representation of both sexes, racial and ethnic minorities, and the various geographic regions of the state: and (4) no member of the Council may also be a member of the State board or its staff.

The State advisory council performs a myriad of functions (see §104.93 for a detailed list). Among other duties, the Council is primarily responsible for advising the Board in the development of the state plans and the accountability report as well as about policy matters concerning the administration of vocational education programs and activities. It identifies the vocational education and employment and training needs of the state and the extent to which vocational education, employment training, vocational rehabilitation, special education, and other related programs represent a consistent, integrated, and coordinated approach to meeting these needs. The Council also provides technical assistance to eligible recipients and local advisory councils as they may request.

The federal regulations outline specific rules regarding the meetings the State advisory council holds in performing its functions. At least once during each fiscal year, the Council is required to hold a public meeting where citizens are afforded the opportunity to express their views about vocational education in the state.

The State advisory council's membership requirements ensure that a wide range of individuals concerned with vocational education programs in the state can influence such programs so that they reflect the particular needs of various groups within the state. Consumers and advocates of individuals with developmental disabilities concerned with the role of vocational education are encouraged to contact their representative on the Council (see requirement *(k) above). He will be able to help such persons examine how the State board and State advisory council view their roles in meeting the vocational education needs of people with developmental disabilities.

The representative for the handicapped on the Council can also provide answers to questions posed by persons with developmental disabilities about the Council. What is the Council doing to assess how well vocational education, vocational rehabilitation, special education, and other agencies represent a coordinated and consistent approach to meeting the vocational education needs of the handicapped? How does it identify those needs?

This representative can also serve as a spokesman to voice issues pertinent to the vocational education of persons with handicaps. Consumers and advocates are encouraged to monitor his activities and provide him with enough information about their needs and problems so that he might adequately represent them. For example, he might suggest to the Council after discussing the idea with individuals with handicaps that they would benefit from comprehensive vocational education programs beginning at an early age. He could suggest that the Council work toward greater collaboration and coordination between programs under the Career Education Incentive Act and those under the VEA. Such cooperation would help to insure that people with handicaps have equal opportunities in making career choices and securing access to information that would help them to make such decisions.

Five-Year State Plan (§104.161-§104.165)

In formulating the five-year state plan, the State board must involve the State advisory council and a number of other individuals representing a variety of needs, interests, and agencies related to state vocational education programs. At least one person from each of the following bodies must contribute to the development of the five-year state plan (§104.162):

(a) the state agency responsible for secondary vocational education programs;
(b) the state agency, if a separate one exists, responsible for postsecondary vocational education programs;
(c) the state agency, if a separate one exists, responsible for community and junior colleges;
(d) the state agency, if a separate one exists, having the responsibility for institutions of higher education in the state;
(e) a local school board or committee;
(f) vocational education teachers;
(g) local school administrators;
(h) the State Manpower Services Council of the Comprehensive Employment and Training Act; and
(i) the state agency or commission responsible for comprehensive planning in postsecondary education, which planning reflects programs offered by public, private nonprofit, and proprietary institutions, and includes occupational programs at less-than-baccalaureate degree level, if a separate agency or commission exists.

These representatives, and at least one member of the State advisory council, must convene with the State board at least four times to develop the five-year state plan. Should all the representatives be unable to come to a decision regarding the provisions of the state plan, it is up to the State board to make a final decision. In this case, the Board includes in the plan any recommendations made by the group that it decides to reject and the reason for rejecting each recommendation.

The Board is required to conduct a series of public hearings during the formulation of the five-year state plan. Public meetings must be held during the development of the plan throughout all the regions of the state and after giving the public sufficient notice. These requirements help to ensure that all people in the state have an opportunity to present their views on the state's vocational education goals and programs; on the distribution of responsibilities for programs among the various levels of education; and on the allocation of local, state, and federal resources to meet these goals.

This hearing is an excellent opportunity for individuals with developmental disabilities and their advocates to make their opinions and their needs known. The views aired at the public hearings must be mentioned in the state plan. Any views not accepted for inclusion in the plan and the reasons why they have been rejected must be described in the plan.

In addition to the reactions of the expressed public opinions, the five-year state plan must also include:

(1) descriptions of the procedures to be used in assuring compliance with the general application, including a description of the procedures that will be used to ensure that funds for vocational education programs for handicapped persons are used in a manner consistent with federal regulations, including how theprograms provided for each handicapped child will be planned and coordinated in conformity with and as part of the child's individualized educational program as required by the Education of the Handicapped Act.
(2) assessments of current and future employment opportunities throughout the state:
(3) goals to meet employment needs;
(4) funding allocations to meet employment needs;
(5) funding to meet program needs, including an outline of the intended use of VEA funding for basic grant programs, program improvement and supportive services, special programs for the disadvantaged, consumer and homemaking education and for meeting the special needs of handicapped per-

sons, disadvantaged persons, and persons of limited English-speaking ability.
(6) policies for eradicating sex discrimination; and
(7) the mechanism to be used to coordinate manpower training programs and vocational education programs.

Annual Program Plan (§104.202-§104.222)

The five-year state plan is a detailed description of the vocational education programs and budget during a five-year period. The annual program plan also describes vocational education programs and finances but does so in greater detail and on a yearly basis. It specifies how yearly evaluative data will be used to improve programs and meet the changing educational and training demands.

The development of the annual program plan by the State board must include the active participation of all the same groups that participated in the development of the five-year state plan. These persons must convene with the State board for at least three meetings each fiscal year. If the participants cannot agree upon the final draft of the plan, the State board must make the final decision and include as part of the plan any recommendations which it rejected and the reasons for doing so.

Public hearings on the annual program plan must also be provided. The requirements for these hearings follow those described above for the five-year plan.

The content of the annual program plan must follow specific guidelines outlined in the regulations (§104.222). If a five-year state plan includes the required program provisions (assessment of employment opportunities, goals to meet employment needs, funding to meet employment needs, and funding to meet program needs) on a year-by-year basis, it may qualify as an acceptable annual program plan. To be considered acceptable, it must also delineate the proposed distribution of annual funding for basic grant programs, program improvement and supportive services, special programs for the disadvantaged, and consumer education; and include an analysis of the manner in which such distribution complies with the twelve assurances and with the State board's determination of how to make the distribution.

Accountability Report (§104.241)

The development of the annual accountability report follows the same process and has the same representational, meeting, and public hearing requirements as the annual program plan. The significant difference between the development of the two lies in the informational content.

The accountability report must contain, among other items (see §104.241), a summary of the evaluative processes conducted by the State board and a description of how this evaluative information has been used to improve the state's vocational education program.

Annual Evaluation Report (§104.97)

The annual evaluation report differs from the other three documents required in the state planning process in that it is developed by the State advisory council on vocational education. The Council must include in the report any comments that the Board may make concerning its content. The report should contain, among other items (see §104.97), a description of the effectiveness and degree of coordination among special programs for the handicapped as defined by planning, operation, and student progress in vocational education; results of the evaluations by the Council on the effectiveness of vocational education programs; and recommended changes in programs, services, and activities.

Certification of Plans (§104.171)

The State board must include a series of attachments to the five-year state plan, the annual program plan, and the accountability report when it submits them to the Commissioner for approval. Each of these documents must contain eight certifications (i.e., certification of involvement of designated agencies, certification of public hearings, certification of consultation with the State advisory council, certification by the State attorney general, certification of delegation, certification of local advisory councils, certification by full-time personnel of opportunity to review the plans, and certification of the adoption by the State board) to ensure that the state receiving VEA funding is in compliance with the mandates set forth in the federal regulations.

Approval of the Five-Year State Plan, the Annual Program Plan, and the Accountability Report (§104.262)

The approval of the five-year state plan, the annual program plan, and the accountability report may range from a reasonably speedy to a rather lengthy process. Whether these three documents meet the conditions for approval, whether approval of any of the documents is withheld, and whether certain agencies or councils are dissatisfied with any final decision of the State board with respect to the proposed document will determine how long the approval process will take.

The Commissioner must make a series of determinations before he approves the five-year state plan (see §104.262). The conditions for the approval of the annual program plan and the accountability report require that the Commissioner make the same determinations that are necessary for the approval of the five-year state plan but with respect to these two documents. He must also determine that the reports demonstrate progress in achieving the goals set forth in the approved five-year state plan. This requirement ensures that some advances are made in vocational education each year.

Withholding Approval (§104.271)

After the Commissioner decides to approve or to withhold approval of each of the three documents, he notifies the State board of his decision. He may not finally disapprove any of these documents without first affording the State board reasonable notice and opportunity for a hearing within the state. Any State board which is dissatisfied with the Commissioner's final decision may appeal to the appropriate U.S. Court of Appeals.

Should the Commissioner discover after he has approved the documents and the state is receiving funds, that the state has failed to comply with any of the assurances made or with the federal regulations, he must inform the state that it will not receive any further payments until he is satisfied that the state is no longer in noncompliance. After making such notification, the Commissioner has the right to suspend the VEA payments.

Hearings Before the Commissioner (§104.281-§104.292)

If an agency or council is dissatisfied with the State board's final decision regarding either of the state's plans filed with the Commissioner, it must be provided with an opportunity for a hearing by the Commissioner. A number of requirements surround an appeal to the Commissioner for a hearing (see §104.281-§104.292). An agency or council may appeal only on two counts: (1) if it has suggested certain matters to the State board to be included in the five-year state plan or annual program plan and the State board has rejected them; or (2) if the Board has failed to comply with the regulations concerning that agency's or council's active participation in the formulation of either plan. Should the State board or state agency be dissatisfied with the Comissioner's judgment at a hearing, it may appeal to the U.S. Court of Appeals for the circuit in which the state is located.

Monitoring of Civil Rights Statutes

In December 1978, the Office for Civil Rights in the Department of Health, Education, and Welfare published a series of proposed guidelines for eliminating discrimination and denial of services in vocational education on the basis of race, color, national origin, sex, and handicap (see Federal Register, vol. 43, number 244, December 18, 1978, pp. 59105-59110). The proposed guidelines were divided into nine sections, each further broken down into separate categories. The nine sections discussed are listed below.

I. Scope and Coverage
II. Responsibilities of State Agencies Administering Grants to Other Recipients
III. Distribution of Federal Financial Assistance and Other Funds for Vocational Education
IV. Student Eligibility for Access and Admission to Vocational Education
V. Counseling and Prevocational Programs
VI. Equal Opportunity in the Vocational- Instructional Setting
VII. Work-Study, Cooperative Vocational Education, Job Placement, and Apprentice Training
VIII. Employment of Faculty and Staff
IX. Proprietary Vocational-Education Schools

These guidelines have been issued partly as a result of DHEW's findings indicating continuing discrimination in vocational education programs. Once they are approved, they should help eliminate discrimination in vocational education programs not only against persons because they have handicaps, but also against persons because of their color, race, national origin, or sex.

The Office for Civil Rights in DHEW and the Bureau of Occupational and Adult Education have begun work toward implementing an operational plan for coordinating civil rights compliance activities in vocational education. Until such a plan is implemented and determined effective, however, people with developmental disabilities and their advocates should continually examine civil rights issues in vocational education in their states and raise pertinent questions to members of the State board, the State advisory council, the state protection and advocacy system, and the appropriate Department of Human Rights to ensure that their rights are respected. Are vocational education training sites and service areas accessible to the handicapped? Are there handicap-segregated vocational education programs or schools in the state? Do admission criteria for vocational education programs restrict or impose barriers for women, handicapped persons, or minorities? Are faculty and administrative positions basically restricted to non-handicapped Caucasian males? Are there appropriate percentages of handicapped and non-handicapped students enrolled in vocational education programs given the percentage of handicapped to non-handicapped populations? The answers to these questions and others should indicate how well the vocational education programs are complying with civil rights statutes on a general basis.

Conclusion

The state planning process for vocational education is complicated. State boards and State advisory councils are required to make a myriad of assurances for various purposes in a variety of documents. Unlike the state plan for vocational rehabilitation (the development of which is simplified by a standardized preprinted form (see page 121)), the five-year state plan for vocational education must be drafted from cover to cover. There are no federal guidelines other than the VEA and federal regulations which a state may follow in order that its documents comply with VEA mandates. State boards and individuals could benefit from investigating interpretations and implementations of vocational education programs in other states, but the time and patience currently required to make such comparisons deter many from doing so.

F. FUNDING AND FISCAL REQUIREMENTS (§104.301-§104.330)

States participating in programs under the VEA are limited in the uses that they may make of certain monies. As indicated in Part D of this section, VEA funding comes with specific strings attached: separate allocations are made to a state for specific purposes. There are four general categories of funds awarded to a state:

(1) funds to support the basic grant programs and program improvement and supportive services;
(2) funds to provide special programs for the disadvantaged;
(3) funds to provide consumer and homemaking education grams;

(4) funds to support the preparation of the five-year state plans, the annual program plans, the accountability reports, the state evaluations of vocational education programs, and state administration of VEA-supported vocational education programs.

Federal Share of Expenditures in Executing the Annual Program Plan (§104.302)

Basic grant programs and program improvement and supportive services funds are used to cover fifty percent of a state's cost of implementing its annual program plan. States are required to match federal funds for certain purposes as described in the annual program plan.

National Priority Programs (§104.303)

The Commissioner pays up to fifty percent of the excess costs of vocational education programs, services, and activities under the basic grant programs and program improvement and supportive services for four groups of people. The provision of vocational education to these groups is a national priority under the VEA. To encourage the states to spend resources for this purpose, the VEA provides states with as much as half of the excess costs of providing vocational education or stipends (as appropriate) to these persons. These groups include:

(1) handicapped students;
(2) disadvantaged students;
(3) persons of limited English-speaking ability; and
(4) students with acute economic needs.

Excess costs are those costs above and beyond the expense of educating students who do not fall into these categories (i.e., non-handicapped, non-disadvantaged, persons for whom English is the dominant language, and students who do not have acute economic needs). Such excess costs may include the costs of extra services designed to eliminate the barriers which these groups face in regular vocational education programs.

States must pay the remaining fifty percent of the excess costs for these programs. This is an important requirement of the VEA. By providing states with as much as fifty percent of these costs, the federal government has sought to stimulate increased spending for vocational education programs for the handicapped and the other groups. Individuals with developmental disabilities and their advocates should review their state plans for vocational education to determine if VEA funds are used so that handicapped persons can participate whenever possible in regular vocational education programs with the help of supplementary aids and services. These aids and services can be supported not only by the VEA-required minimum ten percent set-aside (see page 51), but also by funding provided under Part B of the Education of the Handicapped Act.

The Commissioner also pays up to half of the cost of basic grant programs and program improvement and supportive services for special groups of students enrolled in postsecondary and adult programs (see §104.303).

Federal Share of Expenditures - 100 Percent Payments (§104.305)

A state may receive 100 percent of the cost of cooperative vocational education and exemplary and innovative programs for students enrolled in non-profit private schools. It may also receive as much as 100 percent of the cost of special programs for disadvantaged individuals in areas of the state which have high concentrations of youth unemployment or school dropouts. Advocates are encouraged to examine if their states are taking advantage of their federal dollars.

Federal Share of Expenditures for State Administration (§104.306)

From the funds allotted for basic grant programs and program improvement and supportive services, the Commissioner must pay each state as much as fifty percent of the cost of administering the five-year state plan and annual program plan. In fiscal year 1979, he is to pay sixty percent of these costs to help states develop effective administration.

Each state computes how much the federal government will allot it for the purposes of the administration of the five-year state plan and annual program plan. Not more than eighty percent of the amount comes from the basic grant funds and a maximum of twenty percent comes from the program improvement and

and supportive services funds. The state is not required, however, to follow an 80/20 ratio in using its administration funds for basic grant programs and program improvement and supportive services.

Federal Share of Expenditures for Local Administration (§104.307)

Under the VEA, the federal government will pay some of the supervision and administration costs of vocational education programs carried out by LEA's and postsecondary educational institutions. These monies are from the basic grant and program improvement and supportive services funds.

Minimum Percentages for the Handicapped, Disadvantaged, Postsecondary Programs, and Adult Vocational Education Students (§104.311-§104.314)

States are required to use a minimum percentage of their basic grant and program improvement and supportive services funds to provide vocational education to certain target groups: students who are handicapped, disadvantaged, in postsecondary programs, or in adult programs.

A state must use at least ten percent of its basic grant and program improvement and supportive services funds for vocational education for handicapped persons. Vocational education for the handicapped must be provided in regular vocational education programs whenever and wherever possible. LEA's are required to spend at least the same amount of money per student in the provision of vocational education to handicapped students as to non-handicapped students, before excess costs are determined. The Commissioner may pay up to fifty percent of these excess costs with state and local funds carrying the remainder. The ten percent set-aside funding should be used to provide handicapped students with extra services and aids so that they may participate in regular programs.

States must use at least twenty percent of their basic grant and program improvement and supportive services funds to provide vocational education to disadvantaged persons; to persons who have limited English-speaking ability; and for stipends for students with acute economic needs. They must spend at least fifteen percent of their basic grant and program improvement and supportive services funds for vocational education for special groups of students enrolled in postsecondary and adult programs (see §104.303).

Maintenance of Effort (§104.315-§104.328)

Each state, LEA, and postsecondary educational institution receiving VEA funding is required to maintain its fiscal effort for vocational education either on a per student basis or on an aggregate basis from one year to the next.

Formula Grant Figures (§103(a)(2)VEA)

The formula used to determine how much VEA money each state will get for carrying out the subparts of the VEA (basic grant programs, program improvement and supportive services, special programs for the disadvantaged, consumer and homemaking education, etc.) is described in detail in §103(a)(2) of the VEA. This section says that each year, a state receiving VEA funding will receive the sum of four percentages based on the ratio of the state's population in each of the four age categories listed. A list of state formula grants for vocational education for fiscal year 1979 is provided in Appendix I.

Individuals with disabilities and their advocates are encouraged to examine their states' plans for vocational education to ensure that funds are used so that handicapped persons can participate in regular vocational education programs to the maximum extent possible. The ten percent set-aside should be used specifically for this purpose, while the federal portion of the excess costs must be used toward the extra cost of supplementary aids, services, and devices that might be necessary to achieve this end. Consumers and advocates can also check with their representative on the State council or the director of the State board to determine if these funds are used in this manner. And they should ask as many additional questions as necessary to understand how federal VEA funds are used for the handicapped. Are there any safeguards to ensure that handicapped vocational education students are separated from regular vocational education facilities and programs only when the nature of their disabilities is such that even with supplementary services and equipment they cannot be educated in regular classrooms? If the facilities must be separate, can the Council assure that the education the handicapped students receive is equivalent to that provided in the regular classes?

G. OTHER RESOURCES

The Vocational Education Act provides for other resources and programs in addition to those mentioned above in the previous sections. Part 105 (Commissioner's Discretionary Programs of Vocational Education) of the VEA describes a wealth of vocational education programs.

Part 105 is divided into five subparts, each of which is described briefly below. Individuals interested in a detailed description of the goals, eligibility, and application process for each program are encouraged to refer to the federal regulations.

Program Improvement (§105.101-§105.111)

The purpose of program improvement is "to support projects for the improvement of vocational education and a national center for research in vocational education." Federal funds authorized for program improvement are used primarily for contracts and in some cases for grants.

Indian Tribes (§105.201-§105.214)

The purpose of the program for Indian tribes and Indian organizations is "for the Commissioner, at the request of an Indian tribe, to make a contract or contracts directly with the funds available under ... the Act, to plan, conduct, and administer programs or portions thereof, which are authorized by and consistent with the Act..." Eligible tribal organizations must submit their applications to the Commissioner.

Training and Development Programs for Vocational Education Personnel (§105.301-§105.443)

Two separate programs are combined under this subpart: the leadership development award program and the vocational education certification fellowship program. The leadership development award program is designed "to provide opportunities for experienced vocational educators to spend full time in advanced study of vocational education." The purpose of the vocational education certification fellowships is to provide opportunities for certified teachers who have been trained to teach in other fields, and persons in industry, business, and agriculture who have skills and experience in vocational fields to become vocational educators.

Emergency Assistance for Remodeling and Renovating Education Facilities (§105.501-§105.507)

This program provides emergency assistance to "local educational agencies in urban and rural areas which are unable to provide vocational education designed to meet today's manpower needs due to the age of their vocational education facilities or the obsolete nature of the equipment used for vocational training." The program is designed to assist these agencies to modernize their facilities and equipment and to convert academic facilities needed in offering vocational education programs which give reasonable promise of employment.

Bilingual Vocational Education (§105.601-§105.627)

Bilingual vocational education programs are divided into three parts. The bilingual vocational training programs are designed to "prepare persons of limited English-speaking ability to perform adequately in an environment requiring English language skills and to fill the critical need for more and better trained persons in occupational categories vital to both the persons (of limited English-speaking ability) and the economy." The bilingual vocational instructional materials, methods, and techniques program is designed "to develop instructional materials and encourage research programs and demonstration projects to meet the critical shortage of such instructional materials suitable for bilingual vocational training programs." The bilingual vocational instructor training programs are intended to "provide training programs to meet the critical shortage of instructors possessing both the job knowledge and skills and dual language capabilities required for adequate instruction of persons handicapped by their limited English-speaking ability."

The federal government sponsors a variety of programs related to vocational education other than those mentioned in the VEA. Programs under CETA, the Vocational Rehabilitation Act, and the Career Incentive Act, among others, should also be explored as related potential resources for individuals, educational agencies, and institutions.

H. CONCLUSION

A wide range of services designed to improve and expand vocational education programs are provided under the VEA. As vocational education programs continue to grow, so will they become increasingly meaningful and practical for individuals with developmental disabilities.

Persons with developmental disabilities and their advocates must learn to use resources and services provided under the VEA to the maximum extent possible. In that process, they undoubtedly have to struggle against old ideas of what handicapped people can or cannot do. Vocational education, like any comprehensive program, needs to learn the hard way - through experience - of how to best serve its clients. And individuals with developmental disabilities and their parents and advocates can help in this process by becoming familiar with the programs and learning to influence their development to best reflect their vocational education needs.

III. VOCATIONAL REHABILITATION

Until recently the vocational rehabilitation program operated under the Rehabilitation Act Amendments of 1974 (PL 93-112), as amended by the Rehabilitation Act Amendments of 1974 (PL 93-516). As mentioned earlier, these legislative authorities expired on October 1, 1978, but have been extended by the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978 (PL 95-602). The discussion that follows examines the vocational rehabilitation program as extended and amended by this new legislation. Advocates should be reminded, however, that new program regulations are scheduled to be developed by May 5, 1979, in response to the legislation. These regulations will directly affect how the new provisions and old regulations will be integrated and subsequently implemented. As such, they will directly influence the programs discussed in this section.

A. PURPOSES OF THE VOCATIONAL REHABILITATION PROGRAM

The legislative purpose of the entire vocational rehabilitation program is "to develop and implement through research, training, services, and the guarantee of equal opportunity, comprehensive and coordinated programs of vocational rehabilitation and independent living."

The statutory purpose of Title I (formula grants to states) is "...to authorize grants to assist States to meet the current and future needs of handicapped individuals, so that they may prepare for and engage in gainful employment to the extent of their capabilities" (PL 93-516, §100). The new authorizations for Title I are: $808 million for FY1979; $880 million for FY1980; $945 million for FY1981; and $977 million for FY1982. The 1978 Amendments, however, introduce a new concept in authorizations for Title I. The above authorization levels are established as maximums. The actual amounts appropriated may be somewhat less than the authorizations. To deal with the effects of inflation on the funds appropriated to each state, the law indicates that funds awarded for fiscal years 1980, 1981, and 1982 will be increased or decreased by the percentage change in the Consumer Price Index (CPI). This will insure that as inflation increases, the appropriations with which to carry out this title will increase as well.

B. ELIGIBILITY

Eligibility for Title I may be divided into two parts: the state's eligibility and eligibility for individuals. State eligibility depends on the preparation and submission of a three-year state plan to the regional director of the Rehabilitation Services Administration (RSA). This plan is approved by the regional director and the Commissioner of RSA before the state receives any portion of its formula grant. The specific details of the state plan are discussed in Part D of this section.

Individual Eligibility (45 CFR §1361.37)

Eligibility for a state's vocational rehabilitation program must be determined on an individual basis. Eligibility is determined on the basis of two criteria:

(1) the presence of a physical or mental disability which for the individual constitutes or results in a substantial handicap to employment; and
(2) an expectation that the provision of vocational rehabilitation services can benefit the individual in terms of employability.

Three key terms must be defined in these criteria. According to RSA regulations, a physical or mental disability means " a physical or mental condition which materially limits, contributes to limiting, or, if not corrected, will probably result in limiting an individual's activities or functioning" (45 CFR §1361.1(s)). Also as defined by regulations, a substantial handicap to employment means "that a physical or mental disability (in light of attendant medical, psychological, vocational, educational, or related factors) impedes an individual's occupational performance by preventing his obtaining, retaining, or preparing for employment consistent with his capabilities and abilities" (45 CFR §1361.1 (bb)). A substantial handicap to employment may also exist when a disabled person is employed but cannot obtain a gainful occupation consistent with his capacities and abilities. Disabled individuals working substantially below their potential may be provided with vocational rehabilitation services to help them engage in occupations more compatible with their capacities. The provision of services should reflect the individual's potentials, interests, and desires to reach a suitable goal. This does not means however, that vocational rehabilitation services should be primarily directed toward the underemployed and the marginal employment problems of handicapped individuals.

Employability with regard to vocational rehabilitation refers to "a determination that the provision of vocational rehabilitation services will enable an individual to obtain or retain employment consistent with his capacities and abilities in the competitive labor market, such as the practice of a profession; self-employment; homemaking; farm or family work (including work for which payment is in kind rather than in cash); sheltered employment; homebound employment; or other gainful work" (45 CFR §1361.1(g)).

Individuals with a disability, including blindness and deafness, are eligible to participate in the vocational rehabilitation program providing that a relationship can be established between the individual's disability and his potential for employment. This relationship can be explained in the following manner: "Having either a disability without a vocational handicap, or a vocational handicap without a disability does not meet the requirements of the program." (RSA Operations Manual, MT8).

However, individuals should be aware that State vocational rehabilitation agencies have often manipulated the definition of employability. By overemphasizing the "competitive" and "gainful" aspects of employment, agencies have said traditionally that severely handicapped persons will not reach a level of "competitive employment" and will not receive wages of a level to be considered "gainful work." Thus, this interpretation has been used as a tool to determine severely handicapped individuals as inappropriate for vocational rehabilitation services because they are not considered employable.

The application of the eligibility criteria must be made without regard to race, sex, color, creed, or national origin. A state may not impose any residential requirements, durational or otherwise, as a condition for eligibility. The regulations specify that no upper or lower age limit may be established which will, in and of itself, result in a finding of ineligibility for any individual who otherwise meets the criteria for services. In this context, age is contingent upon the appropriateness of services related to vocational planning and preparations. The rehabilitation process consists of a planned orderly sequence of services which will achieve the best possible vocational adjustment of the handicapped person. The most advantageous time for vocational planning will vary depending upon each individual's circumstances.

For example, a state may be conservative in its delivery of services to individuals too far removed from employability because of age. Young persons may be considered unfit for vocational rehabilitation services because of the length of time before employment, while older individuals may encounter a similar hesitancy because they are too near retirement age. Both of these positions are attitudinal and do not reflect the spirit of the law.

Order of Selection (45 CFR §1361.31)

When a state determines that services cannot be provided to all those who apply and are determined eligible, the state plan must establish the order to be followed in selecting those handicapped persons who will receive services. This order of selection must also apply to those determined in need of an extended evaluation when adequate resources do not exist to provide such evaluations to all individuals. In developing this order of selection, priority is to be given to the most severely handicapped individuals.

The law further provides a priority to be established for those whose disabilities occurred in the line of duty as a public safety officer (policeman, fireman, civil defense officer) and the cause of such disability was a criminal act.

Social Security Disability Beneficiaries (45 CFR §1361.110)

Section 222 of the Social Security Act provides for 100 percent payment from the Social Security Trust funds for the cost of vocational rehabilitation services furnished to disability beneficiaries. These beneficiaries must be recipients of Section 223 (Disability Insurance Benefits) of the Social Security Act; disabled persons eighteen years-old and older entitled to children's benefits under Section 202(d) (Child Insurance Benefits); or a disabled widow, widower, or surviving divorced wife under Section 202(e) (Widow's Insurance) and 202(f) (Widower's Insurance) of the Social Security Act.

Trust funds are made available to the Commissioner of RSA for payment to states for services rendered to beneficiaries deemed by the state as eligible for vocational rehabilitation services. The rationale for permitting these payments is that by providing vocational rehabilitation services, beneficiaries may return to employment, and thereby no longer be eligible for disability benefits. This action would save the amount of benefits that would otherwise have to be paid the individual and eventually would allow the person to contribute to the trust fund solely by virtue of being employed.

Supplemental Security Income (SSI) Recipients (45 CFR §1361.120)

Section 1615 of the Social Security Act provides for the referral of blind and disabled Supplemental Security Income (SSI) recipients under the age of sixty-five to State vocational rehabilitation agencies for periodic reviews of their need for, and utilization of, available services. SSI is a public assistance program. It attempts to provide a mimimum income base for persons unable to support themselves because of age, blindness, or disabilities, who have limited resources, and minimal income from Social Security Disability benefits or other sources. (See Income Maintenance module of this series). The payment for such services is made from SSI program funds which are accessible to the Commissioner for payments to the states. The rationale of these payments is similar to the rationale applied to payments for vocational rehabilitation services rendered to SSDI recipients (See page 60).

Selection Criteria (45 CFR §1361.114 and §1361.124)

The provision of services to SSDI and SSI recipients depends upon the submission by the state, and approval by RSA, of appropriate amendments to the state plan. In these amendments, the state must document that to the extent trust funds and SSI funds are available, vocational rehabilitation services will be provided to SSDI and SSI recipients who are deemed eligible and appropriate for a state's vocational rehabilitation program. These amendments must be filed separately for each group and must show the criteria used by the state to determine eligibility. Potential recipients must meet the following criteria:

(1) The disabling impairment is not so rapidly progressive as to outrun the effect of vocational rehabilitation services provided;
(2) The disabling effect of the impairment, without the services planned, is expected to remain at a level of severity which would result in the continuing payment of disability benefits;
(3) There is a reasonable expectation that the provision of services will enable the individual to engage in productive work activity; and
(4) The reasonably predictable period of productive work activity is of sufficient duration that the expenditures made for services are expected to offset the benefits that could be paid by continued eligibility for SSI and SSDI.

Order of Selection for SSDI and SSI Recipients (45 CFR §1361.114(b) and §1361.124(b))

The state plan must organize the above criteria into a practical order of selection for services which considers the individual's readiness and potential for rehabilitation leading to productive activity and without regard to any other order of selection established in the plan for other potential recipients.

C. APPLICATION PROCESS

The application process for vocational rehabilitation services requires a written form and documentation of pertinent medical, psychological, vocational, educational, and other related factors bearing a relationship to the individual's handicap, his rehabilitation needs, and his employment potentials.

This application process must determine eligibility on the basis of the two principle criteria for services (see page 57), and it must be implemented uniformly across the state. Generally, the application is reviewed by a state vocational rehabilitation counselor and a determination is rendered by the counselor. Three major steps are usually involved in the application and determination of eligibility:

(1) Preliminary Diagnostic Study (45 CFR §1361.34) - The regulations provide for a preliminary diagnostic study which sufficiently determines eligibility when applicability of the two criteria is in question. This study is permitted to the extent needed to determine eligibility. The preliminary diagnostic study includes examinations and diagnostic studies. It places primary emphasis on the determination of the individual's potential to achieve a vocational goal. The primary diagnostic study also includes an appraisal of the person's current general health status. In all cases of mental or emotional disorder, an examination is provided by a physician skilled in diagnosis and treatment of such disorders or by a licensed psychologist of the state.

(2) Thorough Diagnostic Study (45 CFR §1361.35) - The preliminary diagnostic study is followed by a thorough diagnostic study, if necessary It consists of a more comprehensive evaluation of medical, psychological, vocational, educational and other pertinent factors as they relate to the individual. The purpose of this study is to establish the relationship between the existing disability and its effect on the individual's employability.

The thorough diagnostic study must include for all applicants, to the extent needed, an appraisal of the individual's personality, intelligence level, educational achievements, work experience, personal, vocational, and social adjustments, employment opportunities, and other data needed to determine the nature and scope of services. This study further determines the individual's patterns of work behavior, his ability to acquire occupational skills and his capacity for successful job performance. It may include the utilization of work, simulated or real, in order to assess his capacities to perform adequately in a work environment.

The results of the two studies become a part of the individual's case records. These records are retained by the State agency responsible for the vocational rehabilitation programs.

Visually Impaired - In the case of a person who has a visual impairment, an evaluation of visual loss must be provided by a physician skilled in the diseases of the eye or by an optometrist, depending on which of these the individual may select. The law also requires, a screening for hearing loss be obtained from a physician skilled in the diseases in the ear or an audiologist certified by State law.

Hearing Impaired - These cases require an evaluation of the auditory system by a physician skilled in the diseases of the ear. Based upon his findings, a hearing evaluation may be provided.

Individuals with a Developmental Disability - The developmental disabilities population does not have specifically designed evaluation criteria under the Vocational Rehabilitation program, except in the case of mental retardation. Individuals with mental retardation require a psychological evaluation that includes a test of intelligence and an assessment of social functioning, educational progress and achievement.

(3) Extended Evaluations (45 CFR §1361.36) - The determination of eligibility is hardly a simple matter of reviewing data and making a decision in a few days. It often takes weeks to ascertain eligibility, taking special time and effort. In these situations, the State vocational rehabilitation counselor may decide that an extension of time is necessary to adequately consider all factors. The State is permitted an extended evaluation period of up to 18 months to determine an individual's eligibility.

Only one 18-month period for extended evaluation may be permitted while an individual's case is open. If the case is closed, however, and evidence suggests that the individual's needs have changed, a case may be re-opened and a subsequent evaluation of rehabilitation potential may be carried out provided that the criteria for an extended evaluation are met.

Regulations require a State to provide a thorough assessment of the individual's progress as frequently as necessary but at least once every 90 days during the extended evaluation period. The assessment consists of a review of the reports of those providing services, such as an institution, a facility, or a professional. This review determines the results of the services provided during this evaluation period and makes a determination to continue or terminate the evaluation period.

Termination of Extended Evaluation (45 CFR §1361.36(e)) - The extended evaluation period may be terminated at any time prior to the expiration of eighteen months when:

(1) The individual is found eligible for vocational rehabilitation services since there is a reasonable assurance that he can be expected to benefit in terms of employability from vocational rehabilitation services; or

(2) The individual is found ineligible for any additional vocational rehabilitation services since it has been determined beyond any reasonable doubt that he cannot be expected to benefit in terms of employability from vocational rehabilitation services.

Otherwise, at the end of the eighteen months the evaluation is automatically terminated and some decision is made regarding eligibility.

Certification

The law requires that every applicant for the vocational rehabilitation program be certified as eligible or ineligible for services. The written certification must be dated and signed by an authorized State agency staff person. The certificate must document the individual's compliance with necessary requirements, or the requirements for which the person was denied eligibility. The certificate of acceptance is a commitment on the part of the agency to provide services or to have services provided.

With respect to a certification of ineligibility, the individual must be notified in writing of the action taken, the reasons for the action, and the person's rights and means for expressing and seeking remedy for any dissatisfaction, including the state's procedures for administrative review and and fair hearings. (See Individualized Rehabilitation Program, p. 93). When an applicant has been determined to be ineligible on the basis of a preliminary diagnostic study, such a determination must be reviewed within twelve months. This review will not be conducted if the individual refuses the review, is no longer present in the state, his whereabouts are unknown, or his medical condition is rapidly progressive or terminal.

Special Issues

Advocates for the developmentally disabled must realize that some issues have had a great impact on the delivery of vocational rehabilitation services. First, inflation has caused a shrinking value of the available services dollar. This means that services are costing more per client, resulting in a decrease in the number of individuals served for the same dollars available.

Second, because the inflated dollars translate to lesser ability to purchase services, vocational rehabilitation dollars are being directed towards those clients who need less costly services. This trend is contrary to the national priority for services to the severely handicapped, and jeopardizes any movements towards compliance with such a priority. For example, persons with singular disabilities may receive services first because program efforts usually can be quickly amassed for lower costs than for someone with multiple disabilities.

In June 1975, the Urban Institute in Washington, D.C., published its findings for a study mandated by the Rehabilitation Act of 1973. This study was a comprehensive needs assessment of the severely handicapped and an examination of the feasibility of various methods to: (a) prepare such persons for entry into vocational rehabilitation programs, and (b) assist individuals who "cannot reasonably be expected to be rehabilitated for employment." The study's findings may not be completely appropriate for today's program; however, these findings clearly identify issues for advocates to monitor on behalf of their clients:

> (1) "Because of its vocational orientation, the vocational rehabilitation program seems to be making conservative choices regarding acceptances."
> (2) "Severity of handicap was the most common reason for rejection of vocational rehabilitation services for persons referred."
> (3) "The referral source plays a key role in the rehabilitation process. Those referred from welfare agencies are more likely to be rejected for services, but if they are accepted, they are more likely to complete the program."
> (4) "Education generally makes it easier to overcome a disabling condition."

The Urban Institute study provides interesting insights concerning the problems faced by potential and current vocational rehabilitation clients. Furthermore, the insights are very suggestive even in areas that have potentials for problems. The Institute's characterization of a successful rehabilitant could be a benchmark by which the program could be judged to see any change. The study stated that a "rehabilitant is likely to be younger, white, better-educated, male, not a public assistance recipient, married and living with spouse, having dependents, living in a state with high rehabilitation expenditures per disabled individual, having competitive labor market experience, and having only one disabling condition. The disabling condition is more likely to be speech or hearing, orthopedic, amputation, mental retardation, neoplasm, digestive disorder, or genitourinary impairment." Does this description adequately cover the range of individuals who are currently or potentially rehabilitation clients, given the priorities within the law? Advocates should monitor their state program to document whether the above description is justified or whether progress has been made to successfully rehabilitate individuals needing the services of this program.

For example, United Cerebral Palsy Associations, Inc., in a report to the Urban Institute, documented that only sixteen percent of the persons with cerebral palsy interviewed were receiving vocational rehabilitation services. A recent statement by the UCPA Governmental Activities Office indicated that since the study was released, persons with cerbral palsy, especially those with severe handicaps:

> ...are still receiving relatively negligible assistance from State departments of vocational rehabilitation...The proportion of severely disabled clients among all new cases in the active caseload declined slightly from 51.0% in October 1, 1975 - September 30, 1976 to 49.4% in October 1, 1976 - September 30, 1977...[One reason suggested for this decline is that] many vocational rehabilitation counselors have failed to recognize and interpret in programmatic terms the employment potential of many persons severely disabled with cere-

> bral palsy. This tendency has caused many individuals to be denied admission to programs even though these same people have subsequently completed training programs sponsored by UCPA and other agencies and been placed in competitive employment. The applied technology experiences and modifications developed by the Job Development Laboratory at the George Washington University and Wichita State University Rehabilitation and Research Training Centers have substantiated this statement...

Together with the Urban Institute study, UCPA's report reemphasizes the need for individuals with developmental disabilities and their advocates to examine how conservatively or liberally eligibility requirements for vocational rehabilitation services are applied, especially with respect to the definition of "severe disability."

Those applying for vocational rehabilitation services should bear in mind that the determination of eligibility is an individualized process based on each unique situation. The decision to apply for services should not be made by comparing oneself to another person regardless of a comparable handicap or living situation. The law intends that every effort be made to certify the appropriateness of services to an individual case. Persons with disabilities and their advocates should encourage the rehabilitation counselor to be conscienticus about the determination of eligibility. Likewise, the prospective client and his advocates should be conscientious in providing all the information required to make an appropriate determination. Advocates should involve themselves in determinations and the subsequent reviews and be ever mindful of the need for appropriate services.

D. SERVICES (45 CFR §1361.40)

The discussion of services provided by the State vocational rehabilitation programs will touch on three areas: Services Available, Case Records, and Service Delivery. These three areas are interrelated and critical to a clear understanding of services.

Services Available

The law mandates that the following services be available to individuals:

(1) evaluation of rehabilitation potential, including diagnostic and related services incidental to the determination of eligibility for, and the nature and scope of services to be provided;
(2) counseling and guidance, including personal adjustment counseling, to maintain a counseling relationship throughout a handicapped individual's program of services; and referral necessary to help handicapped individuals secure needed services from other agencies when said services are not available under the program;
(3) physical and mental restoration services;
(4) vocational and other training services, including personal and vocational adjustment, books, tools, and other training materials;
(5) maintenance;
(6) transportation;
(7) service to members of a handicapped individual's family when such services are necessary to the adjustment or rehabilitation of the individual;
(8) interpreter services for the deaf;
(9) reader services, rehabilitation teaching services, and orientation and mobility services for the blind;
(10) telecommunciations, sensory and other technological aids and devices;
(11) recruitment and training services to provide new employment opportunities in the fields of rehabilitation, health, welfare, public safety, law enforcement, and other appropriate public service employment;
(12) placement in suitable employment;
(13) post-employment services necessary to assist handicapped individuals to maintain suitable employment;
(14) occcupational licenses, tools, equipment, initial stocks (including livestock) and supplies; and
(15) other goods and services which can reasonably be expected to benefit a handicapped individual in terms of employability. (See Appendix V and §1361.1)

Each state is required to develop and maintain current policies with respect to the scope and nature of each service provided. Conditions, criteria, and procedures under which each service is provided must be outlined by the agency.

Services to the Most Severely Handicapped Individuals

The 1973 legislation directed states participating in the program to emphasize the delivery of services to the most severely handicapped individuals. According to federal regulations, a "severely handicapped individual" means a person:

1) who has a severe physical or mental disability which seriously limits his functional capacities (mobility, communication, self-care, self-direction, work tolerance, or work skills) in terms of employability; and

2) whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

3) who has one or more physical or mental disabilities resulting from amputation, arthritis, blindness, cancer, cerebral palsy, cystic fibrosis, deafness, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia, and other spinal cord conditions, sickle cell anemia, and end-stage renal disease or another disability or combination of disabilities determined on the basis of an evaluation of rehabilitation potential to cause comparable substantial functional limitation.

This mandate to make services to severely handicapped individuals a priority also extends to the eligibility determination process. Advocates should encourage the state to take particular care in evaluating the employment potential of severely handicapped individuals. The extended evaluation period can prove useful in introducing various new methods (e.g., prevocational training) for establishing eligibility.

Priority for severely handicapped individuals has been in effect for four years. Fifty-one State vocational rehabilitation agencies have reported to the Rehabilitation Services Administration that on an average, of all those severely handicapped individuals applying, sixty percent are admitted to the program. They also report that of those admitted, fifty percent are rehabilitated. These figures may seem surprisingly high. But one has merely to review the long list of disabilities contained in the definition above to realize the potential size of the target population.

Advocates for the developmentally disabled must understand that the inability of vocational rehabilitation to serve its total population while providing services for other groups within the target population is completely legitimate. Advocates, therefore, must continue to press the vocational rehabilitation agency to expand services for the most severely handicapped.

There are other concerns to address regarding the priority for the severely handicapped. For example, the comprehensive needs study conducted by the Urban Institute in 1975 concluded that the severely handicapped were young, (aged 16 - 30). The study found that the age factor plays a significant role in determining the likelihood of an individual benefiting from rehabilitation services. For example, young individuals with severe disabilities were more responsive to services and generally did complete their involvement rehabilitation successfully. Older individuals who had not received services at an early age were less likely to be accepted for services and less likely to complete their rehabilitation successfully. "Persons who are disabled because of their inability to work tend to be older than persons of moderate work disability and to have a variety of characteristics which suggest that the labor market does not accept them because of a consideration of impairments and other factors, rather than the extent of the impairment" (Urban Institute Study).

Advocates should concern themselves with the ages of persons most often rehabilitated by the State agency. If the above implication is valid, then strategies must be developed to neutralize this stereotyping by the vocational rehabilitation agency. In addition, advocates should realize that the attitudinal barriers toward aged persons is not the intention of the vocational rehabilitation agency. Strategies must be developed to confront prejudicial attitudes in other programs and in the labor market itself.

The Randolph-Shepard Vending Stand Program for the Blind

Section I in this module referred to the Randolph-Shepard Vending Stand Act of 1935 as part of the vocational rehabilitation program. This Act provides for the establishment of vending stands operated by blind individuals as training and employment opportunities on federal or other property.

To be eligible to operate or work at a vending stand established through vocational rehabilitation funding, an individual must be determined to be:

(1) Blind;
(2) A citizen of the United States;
(3) At least 21 years of age; and
(4) Certified by the State vocational rehabilitation agency as qualified to operate a vending stand.

This determination must be made by a State agency which the Secretary of the Department of Health, Education, and Welfare designates to issue licenses to blind persons under this program.

The licensing agency is responsible for all aspects of determination, selection, management, and supervision of the program. The Secretary's designation of the licensing agency is determined on the basis of its application. The licensing agency must develop objective criteria for selecting eligible individuals and licensing qualified applicants. These criteria must include a provision for giving preference to blind persons who are in need of employment and have resided for at least one year in the state in which the stand is to be located. Provision for the documentation by the agency of the above four criteria must also be made.

For this program a "blind person" is defined as "a person having not more than ten per centum visual acuity in the better eye with correction." This means a person who has:

(1) Not more than 20/200 central visual acuity in the better eye after correction; or
(2) An equally disabling loss of the visual field; i.e., a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20°." (45 CFR §409.1(p))

Such a determination of blindness must be certified by a duly licensed ophthalmologist.

The services available to a blind person through this program have a slightly different orientation than the general vocational rehabilitation services. There are administrative procedures that must be accomplished before this program may operate in a state. To initiate the program the state must apply to the Secretary of DHEW to receive the designation as the licensing agency for such vending stands. The application must be written, approved by the chief executive of the state, and transmitted over the signature of the executive officer of the State agency making application. It should be noted that only the State vocational rehabilitation agency may submit this application. The application may request, however, that the designation as licensing agency be given to an agency other than the applicant vocational rehabilitation agency. The application content for this designation must contain:

(1) legal authority of the proposing licensing agency, including authority to propose regulations to operate the program;
(2) the agency's organization, including coordination between the vending stand programs and vocational rehabilitation services;
(3) policies and standards for the selection of suitable vending stand locations;
(4) policies for making suitable vending stand equipment and adequate merchandise stock available and the sources of funds to be used;
(5) the source of funds for the management of the program and the amount of funds, if any, set aside from the proceeds of the vending stand;
(6) policies and standards governing the relationship between the licensing agency and the operators;
(7) methods for providing suitable training to blind persons selected for licensing under the program;
(8) arrangements made or contemplated, if any, for the utilization of services and resources of any other agency or agencies, including services needed, administration, financial reports, and evaluation of services received;
(9) arrangements made or contemplated for vesting in accordance with State laws of the right, title to, and interest in vending stand equipment or stock used in the program in a nominee of the licensing agency to hold such right, title to, and interest for program purposes; and
(10) assurances that the designated agency will cooperate with the Secretary in carrying out this part.

Once an agency has been designated to operate this program through the issuance of a license, it must establish such stands according to the policies and standards outlined in the above application. These vending stands originally were to be established primarily on federal property, but now many sites are located on state, municipal and private properties. The services of vending stands consist of merchandising, selling, and accounting. The operator may receive "management and supervision" services from the state, but he is mostly involved in a program of self-learning. The management and supervision services available from the state agency are envisioned as support for the operator. They include inspection, quality control, consultation, accounting, regulating, in-service training, and other related services provided on a systematic basis to support and improve small business enterprises (vending stands). Management services and supervision do not include services and costs pertaining to the ongoing operation of the business after the initial establishment period.

Employment Opportunities for Handicapped Individuals

The Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978 introduced a new Title VI to the Rehabilitation Act of 1973. Entitled "Employment Opportunities for Handicapped Individuals Act", it establishes two significant programs: "Comprehensive Service Employment Pilot Programs for Handicapped Individuals" (Part A) and "Projects with Industries and Business Opportunities for Handicapped Individuals" (Part B).

Community Service Employment Programs for Handicapped Individuals (PL 95-602 §611-§617)

Part A authorizes the Secretary of Labor to establish pilot programs to provide full- and part-time community service employment for handicapped individuals. Community service employment programs must be designed to benefit the general welfare of a community. They may be "...any social, health, welfare, and educational services, legal and other counseling services and assistance, including tax counseling and assistance and financial counseling; library, recreational, and other similar services; conservation, maintenance, or restoration of natural resources; community betterment or beautification; antipollution and environmental quality efforts; economic development and such other services essential and necessary to the community," as prescribed by the Secretary of Labor.

These community service employment programs must employ handicapped persons who are referred by the State vocational rehabilitation agency. Eligible handicapped individuals are any persons who meet the criteria for vocational rehabilitation services. At this time, however, it is unclear how a state's order of selection (see page 59) will affect this eligibility. If such eligible handicapped individuals are unavailable to work as technical, administrative, or supervisory personnel, then the project may recruit and employ such personnel from among other individuals in the community. Furthermore, employees of such projects must be from the community in which the project will operate or from a nearby community.

As a safeguard against the loss of other benefits an individual may be receiving or for which he is potentially eligible, the incomes that are received for participating in these programs are protected under the Act. No wages, allowances, reimbursement for travel, or attendant care costs that he receives may be treated as income or benefits for the purpose of other programs or provision of state or federal law unless the Secretary determines a special case (see §613(c)).

In carrying out this part, the Secretary of Labor may enter into agreements with public or private nonprofit agencies or organizations, including national organizations, State agencies or agencies of political subdivisions, or a combination of political subdivisions, or tribal organizations. These agreements may pay up to ninety percent of the costs of such projects with exception for projects in emergency or disaster areas or projects located in economically depressed areas. In these cases, the Secretary, in consultation with the Secretary of Commerce and the Director of Community Services Administration, may decide to pay one hundred percent of the project's costs. The non-federal share of any project may be in cash or in kind. Payments for projects may be in advance or by reimbursement, and in such installments as the Secretary may decide.

The law clearly stipulates additional criteria with which projects must comply before the Secretary of Labor may award any funds. Projects must:

(1) provide services related to publicly-owned and operated facilities or projects sponsored by tax-exempt organizations other than political parties, except for projects involving facilities for religious instruction or worship;
(2) increase the number of employment opportunities and not result in even partial displacement of currently employed workers or in the substitution of federal funds for other funds currently providing work;
(3) not hire a person to do the job done by someone e[illegible] who is on layoff with the sponsoring agency;
(4) maximize the number of persons participating in the project through appropriate recruitment and selection procedures;
(5) provide any necessary training period and a subsistence allowance and other reasonable expenses incurred during that period;
(6) provide healthy working conditions and pay wages at least equal to the highest of:
    (a) employers' standard pay scale for that job;
    (b) minimum wage under the Fair Labor Standards Act of 1938; or
    (c) State or local minimum wage for that occupation;
    (no certificates of exemption from the minimum wage may be issued);
(7) be established and administered by people competent in the field of service and of people knowledgeable about handicapped persons' needs;
(8) pay reasonable costs for work-related expenses, in-

cluding attendant care costs*; and

(9) provide appropriate placement services to locate subsidized employment for handicapped persons when the pilot ends.

Before the Secretary of Labor awards funds for such pilot projects, he is instructed by the law to consult with the Commissioner of RSA and with the State vocational rehabilitation agency with respect to:

(1) the localities in which community service projects of this type are most needed;
(2) the employment situations and types of skills possessed by eligible individuals in such localities; and
(3) potential projects suitable for funding in such localities.

The Secretary of Labor shall coordinate further the establishment of projects under this part with programs authorized by the Emergency Jobs and Unemployment Assistance Act of 1974, the Comprehensive Employment and Training Act of 1973, the Community Services Act of 1974 and the Emergency Employment Act of 1971. This coordination, however, precludes the use of any funds for Part A to be used to fund any programs under the acts mentioned above.

Authorizations for Part A are $35 million for FY1979, $50 million for FY1980, $75 million for FY1981, and $100 million for FY1982. The amounts apportioned by the Secretary for projects in each state must be distributed equitably among areas, taking into account the number of eligible people and their distribution in those areas. Each state will receive an amount bearing the same ratio to these sums as the state's population bears to all the states' populations. Should the Secretary determine that allotted funds will not be used by a state during a certain fiscal year, these funds may be re-allotted to other states in the ratio mentioned above.

---

* Attendant care costs as defined in § 616 for this part refer to "interpreter services for the deaf, reader services for the blind, and services provided to assist mentally retarded individuals to perform duties of employment." Regulations developed for this part may expand this definition's practicality to include attendant care costs for other disability groups which require assistance with personal hygiene, medication supervision, independent living, and the like.

Projects with Industries

This section of Part B authorizes the Commissioner of RSA, after consultation with the Secretaries of Labor and Commerce and with State vocational rehabilitation agencies, to enter into jointly-financed projects with individual employers and industrial entities to provide handicapped persons with on-the-job training and employment in a realistic work setting. These projects are intended to accomplish three principal goals:

(1) to prepare handicapped persons for employment in the competitive labor market;
(2) to provide them with required supportive services to enable them to continue to engage in the employment for which they have been trained; and
(3) to expand employment opportunities for individuals with handicaps by:
    (a) developing and modifying jobs to accomodate their needs;
    (b) distributing special aids, appliances, or adapted equipment as needed;
    (c) establishing appropriate job placement services; and
    (d) modifying the employer's facilities or equipment to be used primarily by handicapped persons.

Agreements must be developed jointly by the Commissioner, the prospective employer, and to the extent practical, the appropriate vocational rehabilitation agency and the handicapped individuals involved. The agreement must specify the training and employment to be provided and the payment to be made by the Commissioner for eighty percent of the project's costs. In addition, the agreement must:

(1) provide that all employees of the project will receive at least the minimum wage;
(2) specify that the Commissioner, together with the State vocational rehabilitation agency, has the right to review any termination of employment. In the event of such terminations occurring before three years after the date of initial employment of a handicapped individual, the Commissioner may require repayment of a portion of the funds awarded under the agreement, if the termination is without reasonable cause; and

(3) provide assurances that all employees will be afforded terms and benefits of equal employment, and that handicapped employees will not be unreasonably segregated from other employees.

Business Opportunities for Handicappped Individuals (§622-§623, PL 95-602)

This part of the Act authorizes the Commissioner, in consultation with the Secretaries of Labor and Commerce, to make grants to, or enter into agreements with handicapped persons. Such agreements are designed to enable these individuals to establish or operate commercial or other enterprises so that they might develop or market their products or services.

Such sums as necessary for each of the next four fiscal years are authorized to be appropriated. The specific regulations surrounding payment and eligibility are expected to be promulgated by May 5, 1979.

American Indian Vocational Rehabilitation Services (§130, PL 95-602)

This is a new grant mechanism established by the 1978 Amendments. It enables the Commissioner of RSA to award funds to the governing bodies of Indian tribes located on federal and state reservations. These grants may pay ninety percent of the costs of vocational rehabilitation services provided to handicapped American Indians residing on such reservations. For this section, "reservations" include Indian reservations, public domain Indian allotments, former Indian reservations located in Oklahoma, and land held by incorporated native groups, regional corporations, and village corporations under the provisions of the Alaska Native Claims Settlement Act.

Applications for these funds must be prepared and submitted to the Commissioner in the detail prescribed by him. No application will be funded for less than twelve months, except as determined by the Commissioner. Applications must contain assurances that the rehabilitation services provided to handicapped American Indians under this funding are, to the maximum extent feasible, comparable to those rehabilitation services provided to other handicapped individuals through funding from Title I (state formula grant funds). In addition, any application for funding must be developed in consultation with the designated State vocational rehabilitation agency.

If a state already provides vocational rehabilitation services to handicapped American Indians, it is understood that this population has been included in the state's total population figures which are used to determine the amount of the state's formula grant. When one of these new grants for services for handicapped American Indians is awarded, the state is required to continue to deliver those services to American Indians already provided through the formula grant. The law states that in the first year of the special grant to the American Indians, however, 33 percent of the American Indians included in the state's total population figure will be subtracted. This will effect a decrease in the state's vocational rehabilitation formula grant because it will lessen the population base used to calculate the amount of the formula grant. This decreasing population effect will continue for the second and third years by 66 and 100 percent respectively.

The law also mandated that the Secretary of DHEW submit to the Congress an evaluation report on this part, not less than thirty months after the enactment of PL 95-602. This evaluation shall include:

(1) an examination of the comparability of services provided under this part with the services provided to other handicapped individuals under a state's formula grant; and
(2) an assessment of how the governing bodies of American Indian tribes receiving grants under this part have made services available to all handicapped Indians residing on a reservation served by such a grant.

The law stipulates that sections 5, 6, and 7 and 102(a) of the Indian Self-Determination and Education Assistance Act will apply to any applications submitted for funding under this part.

Management Services and Supervision for Small Business Enterprises (§1361.48)

The state may provide management services and supervision for small business enterprises including vending facilities (see Appendix V - Services Definition) operated by severely handicapped individuals. These services may be expanded to provide for establishing small business enterprises. If the state chooses to establish such enterprises, then it must develop and maintain:

(1) a description of the types of small business enterprises that would be established;
(2) a description of the policies governing the acquisition of vending facilities or other equipment and initial stocks (including livestock) and supplies for such businesses;
(3) a description of the policies governing the management and supervision of the program;
(4) a description of how management and supervision would be accomplished by the State agency, or by some other organization as the agent of the State agency, subject to its control; and
(5) assurances that only the most severely handicapped individuals would be selected to participate in this supervised program.

Under this program, the State agency may decide to set aside a percentage of the proceeds for these small business enterprises. If so, the State agency must develop and maintain a method for the setting-aside of such funds. The purpose for this action must be described in the state plan. Any utilization of these funds by the State agency must be only for this small business enterprise program. Also, any profits made by the operators of the small businesses must be distributed on an equitable basis.

Establishment and Construction of Rehabilitation Facilities (45 CFR §1361.49 - §1361.50)

In using its formula grant funds, a state may establish and construct rehabilitation facilities. In states using their formula grants for this purpose, the planning for the expenditure of funds is very detailed. Advocates should examine if and how their states use this option.

If the state wants to establish or construct facilities using formula grant funds, it must document this in the state plan. The federal regulations stipulate the requirements the state plan must follow. The plan must:

(1) provide that the State agency will determine that the need for individual rehabilitation facilities exists prior to their establishment or construction, and that building the facility will be consistent with State facilities planning. At the same time, it will not duplicate other resources already available to rehabilitation facilities;
(2) provide that the State agency shall establish in writing and maintain standards and criteria applicable to such facilities with respect to physical plant, equipment, personnel, administration and management, safety, and other pertinent conditions. With respect to workshops, the State shall establish in writing and maintain criteria and standards applicable to health conditions, wages, hours, working conditions, workman's compensation or liability insurance, and other conditions. Any standards and criteria shall incorporate any such elements established by the Commissioner of Rehabilitation Services Administration, and shall conform with occupational safety and health standards for rehabilitation facilities as established by the Secretary of Labor.
(3) provide that the primary purpose for the facility is to conduct vocational rehabilitation services or transitional or extended employment for handicapped individuals;
(4) (for establishment) in cases where initial staffing assistance is provided, that this assistance will be available only for personnel engaged in new or expanded program activities;
(5) (for construction) provide that the total federal financial participation in the construction expenses shall not exceed 10 per centum of the State's formula grant;
(6) (for construction) provide that for each fiscal year the expenditures for construction and establishment of facilities will be equal to at least the average of the State's expenditures for such other vocational renabilitation services for the preceding three fiscal years;
(7) (for construction) provide that in addition to requirements imposed by law, each proposal for construction of a facility will be subject to the general provisions for vocational rehabilitation services;
(8) provide that any facility established or constructed will pursue affirmative action plans to employ and advance any qualified handicapped individual; and
(9) provide that the facility will comply with all requirements concerning nondiscrimination of handicapped individuals pursuant to Section 504.

As mentioned above, these activities are discussed in the context of the state's rehabilitation facilities plan. These plans vary in their timetables, procedures, finances, and types of facilities. Therefore, they allow great flexibility at the state decision-making level.

The establishment and construction of a rehabilitation facility using vocational rehabilitation funds requires that the state either operate the facility itself or that a non-profit organization operate the facility. The State agency must develop minimum standards for such facilities and for such private providers with whom the state contracts for services, or for the operation of a facility. These minimum standards must be available to the general public.

The use of state vocational rehabilitation grant funds for constructing and establishing rehabilitation facilities has been extremely limited in recent years. States have opted not to set aside funds for this activity which could decrease those funds available for direct client services. Advocates should research the availability of other funds for the development of such facilities.

Community Development Block Grants (CDBG) funds are one potential resource offered by the Department of Housing and Urban Development for constructing and establishing rehabilitation facilities. According to the law for CDBG, such funds may be used for a variety of purposes including the development (construction/establishment) of neighborhood facilities, parks, playgrounds, and centers for the handicapped. Defined in the regulations, "centers for the handicapped" mean" any single or multi-purpose facility which seeks to assist persons with physical, mental, developmental and/or emotional impairments to become more functional members of the community by providing programs or services which may include, but are not limited to, recreation, education, health care, social development, independent living, physical rehabilitation, and vocational rehabilitation; but exclude any facility whose primary function is to provide residential care on a 24-hour a day basis (such as group homes or halfway houses). For example, a sheltered workshop would be a single center for the handicapped, and a facility providing several services for the handicapped would be a multipurpose center for the handicapped, both of which are eligible for assistance" (CDBG regulations 24 CFR part 570.201(c)(4) - See Housing Development Programs module of this series for additional information). These funds have recently become the primary resource for the development of rehabilitation facilities; they are not, however,the sole funding resource.

Handicapped Assistance Loans (HAL) available through the Small Business Administration (SBA) are also potentially applicable to the development of rehabilitation facilities. These loans are divided into HAL-1 and HAL-2 and are awarded to nonprofit agencies that employ handicapped individuals, or are operated by handicapped businessmen, respectively. The eligibility and procedures for awarding these funds differ, so advocates should research each loan program. Contacting the local office of the SBA should be their initial step (consult the white pages of the phone book under U.S. Government). For additional information on these programs, consult the Employment and Training module of this series.

Funds available through the Developmental Disabilities state formula grants may not be used to construct rehabilitation facilities such as these, but funds may be used for related activities. Developmental disabilities funds may be used for planning for the development of such facilities, start-up costs, equipment, supportive services, and in initial staffing. Certainly each state will determine and document in its state plan the availability of funds for these activities. Therefore, advocates should consult with the State Planning Council on Developmental Disabilities for information in this area (see Developmental Disabilities module of this series).

Facilities and Services for Groups of Handicapped Individuals (45 CFR §1361.51)

It is possible for a state, after documentation in the state plan, to provide for facilities and services which may be expected to contribute substantially to the rehabilitation of a group of individuals, but which are not related directly to the individualized rehabilitation program of any one handicapped person. If the state intends to provide these kinds of services, then it must establish in writing and maintain policies for the provision of such facilities and services.

Comprehensive Services for Independent Living

This is an entirely new title in the vocational rehabilitation program established by the enactment of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978 (PL 95-602). This new Title VII of the Rehabilitation Act of 1973 is subdivided into five parts:

Part A - Comprehensive Services (Section 701; PL 95-602)
Part B - Centers for Independent Living (Section 711; PL 95-602)
Part C - Independent Living Services for Older Blind Individuals (Section 721; PL 95-602)
Part D - General Provisions (Sections 731 and 732; PL 95-602)
Part E - Authorizations (Section 731; PL 95-602)

The purpose of this new title is to authorize grants (supplementary to Title I grants) to assist states in providing comprehensive services for independent living. These services are designed to meet current and future needs of individuals whose disabilities are so severe that they do not presently have the potential for employment but may benefit from vocational rehabilitation services which enable them to live and function independently.

(A) Comprehensive Services - States are awarded no less than $200,000 or one-third of one percent of the sums available for a fiscal year to provide comprehensive services. Comprehensive services are defined as "any appropriate services (as defined in Title I) and any other services that will enhance the ability of a handicapped individual to live independently and function within his family and community, and, if appropriate, secure and maintain employment." Services may include:

- counseling, including psychological, psycho-therapeutic
- housing incidental to this section
- job placement
- transportation
- attendant care
- physical rehabilitation
- therapeutic treatment
- needed prostheses and devices
- health maintenance
- recreational activities
- services to pre-school age children, including physical therapy, development of language, and child development services
- appropriate preventive services

Funds awarded to a state must be matched 90/10. The law permits the non-federal share to be "in-kind." Expenditures by a political subdivision of a state may be considered as expenditures by the state for the purpose of determining the non-federal share. Whenever the Commissioner determines that a state will not use its entire allotment, then funds may be re-alloted to other states which the Commissioner feels are in need of additional funds. Federal funds may be awarded in advance or by reimbursement.

To receive funds for this part, the state must develop and submit to the Commissioner, a three-year state plan, and submit such annual revisions as the Commissioner may request. This state plan is not the same state plan required for Title I (formula grant) funds, although it is not certain whether the two plans may be combined. The state plan for comprehensive services must include:

- a designation of a State agency to administer the program
- demonstration of state studies on various methods to provide comprehensive services
- description of the scope, extent, and quality of services to be provided
- assurances that facilities providing services will comply with the Architectural Barriers Act of 1968
- assurances that services are provided in accordance with

IWRP's, and that the IWRP's are coordinated with individual plans developed for the Developmental Disabilities program and for the Education of All Handicapped Children Act
- assurances that the state will conduct periodic reviews to assess client progress
- assurances that technical assistance will be provided to urban and rural poverty areas
- assurances that handicapped persons have a substantial role in developing the state plan
- assurances that at least twenty percent of the funds be awarded to local public or non-profit agencies
- other information, as requested by the Commissioner

Priority for the delivery of these comprehensive services is placed on those handicapped individuals now unserved by other provisions of the Rehabilitation Act, as amended and the Developmental Disabilities Act, as amended. According to House subcommittee language, this program is envisioned to help other severely disabled persons besides those traditionally rejected for vocational rehabilitation services. These individuals may include former vocational rehabilitation clients or presently employed severely disabled persons who could be eligible for independent living services, in accordance with assessments and evaluations conducted by the State vocational rehabilitation agency. The delivery of services under this new title must comply with the same provisions of current laws relating to the development and use of individualized written rehabilitation programs, including the provision for appeals.

(B) Centers for Independent Living - The Commissioner may award grants to any designated State agency administering the state plan for Comprehensive Services. Grants are provided for the establishment and operation of independent living centers. These centers will be facilities offering the following services:

- intake counseling
- referral and counseling services with respect to attendant care
- counseling and advocacy services
- independent living skills
- housing and transportation referral and assistance
- surveys and directories to identify appropriate housing and accessible transportation and support services

- health maintenance
- peer counseling
- community group living arrangements
- education and training
- social and recreational services
- services promoting the independence, productivity and quality of life
- attendant care
- other services not inconsistent with provisions of this title

The state's application for these grant funds will be in forms prescribed by the Commissioner. The application must contain assurances that the State vocational rehabilitation agency will use funds according to the provisions of this section, particularly as it relates to services provided. Applications submitted by public or non-profit agencies must assure the Commissioner that handicapped persons will be substantially involved in policy direction and management of such an independent living center and that handicapped individuals will be employed by such centers.

If after six months from the beginning of the fiscal year, a state fails to apply for these funds in the method prescribed by the Commissioner, he may accept grant proposals submitted by local public or private non-profit agencies.

(C) Independent Living Services for Older Blind Individuals - These services comprise another grant mechanism to be awarded at the discretion of the Commissioner of RSA. The purpose of this part is to assist older blind individuals adjust to blindness by becoming more able to care for their personal needs. The potential services provided under this part include:

(1) Services to correct blindness such as, outreach, visual screening, surgical or therapeutic treatment to prevent, correct or modify disabling eye conditions, and hospitalization related to such services;
(2) Provision of eye glasses and other visual aids;
(3) Provision of services and equipment to assist an older blind person become more mobile and more able to care for himself;
(4) Mobility training, Braille instructions and other services designed to help a person adjust to blindness;

(5) Guide services, reader services, and transportation; and
(6) Services to assist a person to cope with daily living activities, including supportive services.

Funds are awarded pending state submittal of required forms and information as the Secretary requires. The activities to be funded under these grants must be consistent with the needs outlined in the state plan before the grants may be awarded.

Funds received through this section by a designated State agency may be granted to public or non-profit private agencies to conduct activities which improve or expand services for older blind individuals and help improve public understanding of the problems of such persons. In addition, these grants may provide independent living services to older blind persons to assist them to adjust to blindness because they are more able to care for themselves.

(D) General Provisions - This part contains two subparts: protection and advocacy of individuals' rights, and employment of handicapped individuals.

The protection and advocacy provision is consistent with the Protection and Advocacy systems mandated by the Developmental Disabilities program. The grants awarded for these services must provide for the authority to pursue legal, administrative, and other appropriate remedies to insure the protection of the rights of persons receiving services under this title. The State agency which receives this grant must develop a system independent of any designated State agency providing services under this part to such individuals.

These systems are not mandatory as are those of the Developmental Disabilities Act. Advocates should therefore encourage states to apply for these funds. The process for application is to be developed by the Commissioner and all applicants must comply with his design. Advocates may consider the possibility of comingling these activities with those of the Developmental Disabilities Protection and Advocacy systems in order to capitalize on concerted efforts and limited resources.

The second provision for this part calls for the development of affirmative action plans for any and all agencies receiving assistance under this title. These affirmative action plans must speak to the employment and advance in employment of qualified handicapped persons on the same terms and conditions required for all employees. These provisions pertain to State rehabilitation agencies and federal contracts and subcontracts participating in this title.

(E) Authorizations - For the purposes of implementing Parts A, B, and C of this title, there are authorized $80 million for FY1979, $150 million for FY1980, $200 million for FY1981, and such sums as necessary during FY1982. For the protection and advocacy grants, there will be such sums as necessary appropriated, except that these sums may not exceed $6 million in FY1979, $7.5 million in FY1980, and $9 million in FY1981. It is also stated in the law that the provisions of section 1913 of Title XVIII of the United States Code shall be applicable to all funds authorized. This means that the protection and advocacy systems may not, as recipients of federal funds, directly lobby the Congress.

Innovation and Expansion Grants (45 CFR §1361.150)

Section 121(a) of the Rehabilitation Act of 1974 provides grants of not less than $50,000 per fiscal year to states to pay a portion of the cost of planning, preparing for, and implementing:

(a) programs to initiate or expand services to the most severely handicapped; or

(b) special programs to initiate or expand services to classes of handicapped individuals with unusual and difficult problems in connection with their rehabilitation. This is especially intended for handicapped individuals who are poor and the responsibility for their treatment, education, and rehabilitation is shared by the State rehabilitation agency and other agencies.

All projects supported by these funds must be included in the scope of services provided for in the state plan. Grants may be awarded to the State agency, or at the state's option, to a public or non-profit organization or agency. Before any specific awards are made to any agency other than the State agency, however, the approval of the State agency must be secured for such projects. These public or non-profit agencies must also establish affirmative action policies for the equal opportunity employment of handicapped persons as required by the State vocational rehabilitation agency.

Written program descriptions for the activities to be conducted with these funds must be submitted to the Commissioner of RSA in a manner consistent with the Commissioner's prescriptions. Any projects involving risks to human subjects shall comply with the requirements of Part 46 of the Rehabilitation Act concerning Protection of Human Subjects.

If at any time after the start of the fiscal year the Commissioner determines that a state may not use its entire allotment for these funds, he may re-allot the monies among states which indicate a need for additional funds. States that have designated a separate agency for services to the blind are free to self-determine the division of I and E funds among the two agencies.

Uses of I and E Funds (45 CFR §1361.155)

The regulations state that federal financial participation money is available for:

(a) personnel (including fringe benefits);
(b) provision of vocational rehabilitation services;
(c) equipment;
(d) supplies;
(e) consultant expenses;
(f) staff or consultant travel; and
(g) other costs allowable in the State plan as set forth in the budget.

There is no limit to the programmatic uses of these funds as long as the proposal innovates or expands the current vocational rehabilitation program. Many states have used these funds for exploring new methods of service delivery, prevocational programs, technological aids, workshops, central contract procurement, independent living, and for remedial education, among other purposes. These projects may be funded for a maximum period of five years.

Individual Case Record (§1361.38)

The service requirement for vocational rehabilitation is important in any discussion of an individual s involvement in the program. The individualized written rehabilitation program (IWRP) is a particularly significant part of the documentation.

The State agency for vocational rehabilitation must maintain a case record for each applicant for vocational rehabilitation services. The agency also has procedures which the individual or his designated representative must follow to review the case record. Each case record includes the following information to the extent pertinent:

(a) documentation of the preliminary diagnostic study, and as appropriate, the thorough diagnostic study, supporting the determination of eligibility or the determination for an extended evaluation period. The record should document the certification of eligibility. It should also contain the nature and scope of services to be provided;
(b) for those determined ineligible, the case record should contain documentation supporting such a determination. This includes the review of the ineligibility determination no later than 12 months after the original determination;
(c) data supporting any determination that the individual is a severely handicapped person;
(d) documentation of the periodic evaluations of the person during the extended evaluation period;
(e) an individualized written rehabilitation program;
(f) if physical and mental restoration services are provided, the record should document the determination that the clinical status of the handicapped individual is stable or slowly progressive;

(g) documentation of any services provided to an individual's family;
(h) data relating to the handicapped individual's participation in the costs of services (if the State so requires this type of participation);
(i) data relating to the individual's eligibility for similar services under any other program;
(j) documentation that the individual has been advised as to the confidential nature of all information pertinent to his case, and that the individual has been informed of procedures for the release of that information, particularly about the requirements for a written consent form signed by him;
(k) documentation of the reasons for closing the case, including the employment status of the person. If the person was determined rehabilitated, the record must contain documentation on why employment was deemed suitable;
(l) documentation of any plans to provide post-employment services provided and the expected outcome;
(m) documentation of the individual's request for any administrative hearing to review agency actions; and
(n) in a case where an individual is determined eligible and received services, but who is later determined unable to achieve a vocational goal, the record must contain documentation of such determination.

Individualized Written Rehabilitation Program (§1361.39)

For every individual certified as eligible for rehabilitation services or as deemed in need of an extended evaluation to determine rehabilitation potential, an individualized written rehabilitation program must be developed either immediately or as soon as possible. The IWRP must be written jointly by the appropriate State agency staff member and the handicapped person, or, as appropriate, his parent, guardian or other representative. The handicapped individual or representative must receive a copy of the IWRP and any later amendments. Furthermore, the individual and his advocates must agree to any redevelopments of the IWRP during the course of service provision.

The 1978 Amendments provide more specific detail on these requirements. The IWRP must relate the terms and conditions under which goods and services will be provided. It must also specify the reasons for any determination of ineligibility and include the rights and remedies the handicapped person may pursue. The discussion of rights and remedies is required to include, when appropriate, a detailed explanation of the availability of a client assistance project in the person's area.

Each IWRP must be reviewed on an annual basis. At the review, the handicapped individual (or his parent or guardian) should have an opportunity to jointly redevelop its terms.

According to the 1978 Amendments, each IWRP must include, but is not limited to, the following components:

> (1) a statement of long-range rehabilitation goals for the individual and intermediate rehabilitation objectives related to the attainment of such goals;
> (2) a statement of the specific vocational rehabilitation services to be provided;
> (3) the projected date for the initiation and the anticipated duration of each such service;
> (4) objective criteria and an evaluation procedure and schedule for determining whether such objectives and goals are being achieved; and
> (5) where appropriate, a detailed explanation of the availability of a client assistance project established in the area.

The regulations and the Rehabilitation Services Administration Operations manual spell these requirements out very clearly. Advocates should familiarize themselves with these requirements (available through the State agency). The IWRP is a very valuable instrument for the handicapped person. It documents the relationship he has with the vocational rehabilitation program and provides a monitoring system for him, his advocate, and the State agency. Advocates should be interested in the IWRP because it represents a practical step to the individual's attainment of his employment goals. The review procedures for the IWRP should be constructive opportunities for dialogue between the appropriate parties concerning the effectiveness of the current and proposed IWRP.

The IWRP contains numerous assurance statements regarding service delivery and safeguards. These statements concern affirmative action policy, nondiscrimination under Section 504, an explanation of client assistance programs, and information regarding administrative reviews and fair hearing procedures. The remaining elements found in the IWRP concern the procedures for termination of services. These procedures involve identifying the basis for termination and the annual review of this decision. The format for the IWRP is unique to each State agency since each agency is responsible for developing its format.

In determining eligibility for vocational rehabilitation services, primary emphasis should be placed on the determination and achievement of a vocational goal for a person with a handicap in making any determination of ineligibility or in developing and executing the IWRP. The Secretary must insure that any decision that a person is not eligible for vocational rehabilitation services is made (1) only in full consultation with the individual (or his parents or guardians); and (2) only upon the certification (as an amendment or as part of the specification of reasons for an ineligibility determination) that the preliminary diagnosis or evaluation of rehabilitation potential has demonstrated beyond any reasonable doubt that the person is not capable of achieving such a goal. The Secretary is also responsible for assuring that any such decision made as an amendment to the IWRP is reviewed at least annually.

Persons with handicaps who are dissatisfied with the initiation, modification, or termination of vocational rehabilitation services or with a determination of ineligibility should follow the route of a due process procedure. Exactly what form the due process will take will depend on the particular state in which the handicapped individual lives and the requirements specified in the final regulations of the 1978 Amendments. A due process procedure might begin with a person's request for a fair hearing and be followed by an appeal to an impartial panel, should he be dissatsified with the results of the hearing. Subsequent civil action, as deemed appropriate by the court may even follow.

Whatever form the due process procedure takes, handicapped individuals dissatisfied with decisions made by their rehabilitation counselors are protected by two procedural safeguards introduced by the 1978 Amendments. First, the director of the State vocational rehabilitation agency must establish procedures for reviewing the determinations made by the rehabilitation counselor with respect to the IWRP. The procedures also require that the director make a final decision on the review of a determination in writing to the individual. The director may not delegate his responsibility to make such a final decision to any other employee or officer of the State agency.

Second, any handicapped person who is dissatisfied with a final decision offered by the director may request the Secretary to review that decision. The Secretary shall conduct a review and shall make recommendations to the director as to the appropriate disposition of the matter. The law specifically forbids the Secretary from delegating this responsibility to any officer of the DHEW who is employed at a position below that of an Assistant Secretary.

The implementation of these safeguards will be affected by forthcoming regulations. Advocates should review these regulations to understand their compliance with the language of the law.

Role of the Vocational Rehabilitation Counselor

When an individual applies for vocational rehabilitation services, he must comply with the provisions outlined in Part C of this section. The application is assigned to a particular vocational rehabilitation counselor. This vocational rehabilitation counselor is the link between the recipient and the program. The counselor will participate in every aspect of the program's relationship with the individual from eligibility determination, IWRP development, service authorization, and placement to follow-up and termination. For this reason, many individuals who have participated in the rehabilitation program base their attitudes for the program on their experiences with a rehabilitation counselor or counselors. Any discussion of the State vocational rehabilitation program must therefore include consideration of the role of the rehabilitation counselor.

An immediate task performed by the counselor is to join with the individual (and his representatives, as appropriate) to develop the IWRP (see page 93). Together, the counselor and the individual discuss the services needed, the availability of services, the duration of services, the expected outcome of services, and the method for evaluating the IWRP.

This first task is critical because it not only determines service direction butalso is repeated again and again throughout the course of an individual's involvement with vocational rehabilitation. The counselor is also the disburser of rehabilitation services funds. These funds allow the counselor to provide client services and come from a portion of the state's basic formula grant award. Funds are generally divided among the state's vocational rehabilitation counselors with some recognition for client case load and geographic location.

The size of the client caseload for which the vocational rehabilitation counselor is responsible and the funds available to effect services for that caseload play a significant role in the delivery of vocational rehabilitation services. Under the best circumstances a vocational rehabilitation counselor should have less than one hundred clients; however, in most states the counselor's case responsibilities probably far exceeds this number.

Vocational rehabilitation counselors must expend funds in a manner ensuring the maximum benefits for all clients served. Unfortunately, funds are finite and this often forces the counselor to spend them conservatively. In some cases this means that funds may be used for those clients who can be rehabilitated most quickly, rather than be expended on more difficult or long-term cases. Advocates should question this practice if it appears to be discriminating against severely handicapped individuals and is thereby contrary to the national priority.

The role of the counselor accelerates after the development of the IWRP. According to state policy, the counselor is generally able to authorize the delivery of services to the individual. This authority places the counselor in a control position regarding the delivery of services. For example, if a counselor is handling too many cases, it may prove very difficult for a service provider to corner the counselor and get his permission to proceed with the next phase of the IWRP. The state may permit the vocational rehabilitation counselor to give oral authorization in emergency situations. But, as a safeguard, this oral authorization must be put promptly in writing by the vocational rehabilitation counselor and forwarded to the service provider. The specific procedures should be requested of the State agency so that advocates fully understand the proper methods for service authorization (45 CFR §1361.42). In certain situations this could be information critical to avoiding unnecessary risks to the handicapped person. The abounding casework of a vocational rehabilitation counselor very often is a barrier to services. This is not intentional, but occurs as a matter of course.

Another example of the counselor's responsibility is the periodic review of the IWRP's for updating purposes. Advocates should learn from the implementation of the IWRP whether it is working as well as it was intended. This information is valuable in evaluating and redrafting the IWRP. Advocates should urge the counslor to adjust the IWRP if any part of the program is ineffective, especially as it is one of the expressed purposes of the periodic review.

Another duty performed by the vocational rehabilitation counselor is the determination that classifies someone as rehabilitated. This activity continues the involvement of the counselor in following an individuals' case.

If the individual is determined rehabilitated, then placement activities will be attempted (as appropriate). The placement services (See Appendix V - Service Definitions) will attempt to obtain employment for the person. If placement is successful, then the question of rehabilitation of the individual may be answered affirmatively. The State agency's policy then may call for termination of services and follow-along services may begin.

This phase continues the vocational rehabilitation counselor's role. Follow-along services are of a limited duration and usually diminish gradually as the individual demonstrates greater degrees of independence and employability.

The regulations contain specific requirements regarding a determination that a person is rehabilitated (see page 65). The individual (or his advocate) should investigate each provision and request documentation. The client's employment potential with regard to the potential services delivered will be assessed. If the employment potential is considered successful, the person may be considered rehabilitated. If it is not successful, however, then the advocate should pursue further case reviews until a satisfactory determination is obtained.

When it is questionable that an individual is rehabilitated, advocates should check to ensure that the minimum standards required by the federal regulations have been met in the determination of a successful rehabilitation. These standards required that the individual receiving services must have been:

(1) certified as eligible for services;
(2) provided an evaluation of his rehabilitation potential, and provided guidance and counseling as essential services;
(3) provided appropriate services in accordance with an individualized written rehabilitation program; and
(4) determined to have achieved a suitable employment objective which has been maintained for at least 60 days. (45 CFR 1361.41)

The evaluation as to how well these criteria have been met must be both objective and subjective. Advocates and clients should examine the extent to which these requirements have been met as the State agency considers determination of rehabilitation. While the above requirements serve as objective evidence, it is the subjective element (how well they were met) that must be measured critically. The question of whether an individual is rehabilitated will involve consideration of the relationship between the person's disability and his potential for employment. If the answer is that a disability exists but the individual has the potentital for employment (even regardless of whether the person is actually employed) then rehabilitation may have been successfully completed.

Sometimes an individual has difficulty maintaining employment without support services to help him deal with problems incidental to working. Many persons find that taking the first step into the working world is the most difficult adjustment period in the rehabilitation process. Without supportive services, individuals may relapse into less effective stages which do not reflect their true potential for employment. For this reason, the state is required to provide "post-employment" services (see Appendix V - Service Definitions), page 173) to those who require such services to maintain suitable employment. These services may prove particularly helpful in assisting persons to complete their rehabilitation, especially when they are considered marginal cases.

Client Assistance Projects (PL 93-112, as amended, §112; PL 95-602, §105)

The Rehabilitation Act of 1973, as amended, orginally authorized the Commissioner of RSA to award pilot projects to establish a limited number of client assistance projects. These projects could be awarded only to State vocational rehabilitation agencies and were not to exceed three years in duration. The law clearly stipulated that there were to be more than seven but no more than twenty geographically dispersed projects.

Client assistance projects were designed to inform and advise all clients and client applicants in the project area of all available benefits under the Vocational Rehabilitation Act. The client assistance counselor was to assist clients and client applicants upon request in the relationships with the projects, programs, and facilities providing vocational rehabilitation services. The subsequent regulations (45 CFR §1362.45) called for client assistance counselors to be ombudsmen for clients and client applicants. Further responsibilities included:

(1) interpreting the vocational rehabilitation services program;
(2) advising clients of available benefits;
(3) assisting individuals with their relationships with programs, projects, and facilities providing vocational rehabilitation services; and
(4) advising State agencies of identified problem areas in the delivery of services, and suggesting methods and means of improving State agency performances.

The law stated that the State vocational rehabilitation agency should afford these projects reasonable access to policy-making and administrative personnel in all state and local rehabilitation programs, projects, and facilities. The law imposed a significant stipulation on those employed as client assistance counselors. It stated that no employee of a client assistance project could also serve as a staff member or consultant, or receive benefits of any kind directly or indirectly from any rehabilitation project, program, or facility receiving assistance under the Act.

In FY1978, a total of 18 client assistance projects existed across the United States. These projects were:

Mike Dybrick, Director
Client Assistance Project
Urban League
825 South Salina Street
Syracuse, N.Y. 13202
(315) 472-3342

Russell Cutchins, Director
Client Assistance Project
3022 West Clay Street
Richmond, Virginia 23230
(804) 257-0084

Douglas Armstrong, Director
Client Assistance Project
Box 1037
1424 West Century Avenue
Bismarck, North Dakota 58505
(701) 224-2907

Carl Barchi, Director
Client Assistance Project
40 Fountain St.
Providence, R.I. 02903
(401) 421-7005, ext. 244

Nina Brewer, Director
Client Assistance Project
4147 Montgomery St., N.E.
Albuquerque, New Mexico 87109
(505) 842-3468

Carolyn Emerson, Director
Client Assistance Project
Griggs-Midway Building
Room 5280
1821 University Avenue
Saint Paul, Minnesota 55104
(612) 296-0166

John Yurisich, Acting Director
Michigan Vocational Rehabilitation Services
Box 30010
10th Floor
Lansing, Michigan 48909
(517) 373-3978

Deborah Lansworth, Director
Client Assistance Project
Division of Rehabilitation Services
Sixth Floor
301 Centennial Mall South
Lincoln, Nebraska 68509
(402) 471-2961

Ethan Ellis, Director
Client Assistance Project
Dept. of the Public Advocate
Box 1411
Trenton, New Jersey 08601
(609) 292-9742

Susan N. Fary, Director
Client Assistance Project
701 Shipley Street
P.O. Box 44
Wilmington, Delaware 19801
(302) 656-8131

Dean Hearn, Director
Client Assistance Project
Union Square Building
Suite 216
2670 Union Avenue, Extended
Memphis, Tennessee 38112
(901) 454-2733

Lynn Dankel, Director
Client Assistance Project
1305 Tacoma Avenue South
Tacoma, Washington 98402
(206) 593-5076

Thomas Krause, Director
Client Assistance Project
623 East Adams Street
P.O. Box 1587
Springfield, Illinois 62706
(217) 782-5374

Frank Woodrich, Director
Client Assistance Project
Program of Vocational Rehabilitation
Florida Dept. of Health and Rehabilitation Services
1303 Winewood Blvd.
Tallahassee, Florida 32301
(904) 488-5853

Tamara Bibb, Director
Client Assistance Project
1599 Memorial Drive, S.E.
Atlanta, Georgia 30317
(404) 378-7591, ext. 36

Philip Shannon, Director
District Office
State Commission for the Blind
712 N. Washington
Room 506
Dallas, Texas 75246
(214) 263-6642

Karen Armour, Director
Client Assistance Project
Bureau of Vocational Rehabilitation
Mail Room Complex
Las Vegas, Nevada 89158

Charles Crawford, Director
Client Assistance Project
Massachusetts Commission for the
Blind
110 Tremont St.
Boston, Massachusetts 02108
(617) 727-5550

In accordance with the law, each project must submit to the Commissioner an annual report on its operations, including a summary of work done and a uniform statistical tabulation of all cases handled. The Commissioner in turn must collate these individual reports into a summary report to be submitted to appropriate committees of Congress through the Secretary of DHEW. In the first of these reports submitted in April, 1978, fourteen conclusions were drawn. One conlusion stated "The impact of the client assistance projects effort, through joint case reviews by counselors, clients, and CAP advisors, was to have quicker eligibility determinations resulting in a more expeditious delivery of services to the client. A number of other equally positive conclusions led the report to be cited by the House subcommittee as partial rationale for the amendments to the client assistance projects discussed in PL 95-602.

The 1978 Amendments continue and expand the client assistance projects. Most importantly, the new Amendments remove the numerical limitation or more than seven but no more than twenty such projects. This simple amendment opens the potential of these projects to all State vocational rehabilitation agencies, and thus expands the resource of assistance to more clients and client applicants. Furthermore, the Amendments increased the earlier authorization for client assistance projects from $1.5 million to $3.5 million. With respect to the responsibilities of the client assistance projects, the 1978 Amendments maintained the original mandate with one important addition. They call for the expansion of the assistance offered to include the "pursuit of legal, administrative or other appropriate remedies to insure the protection of rights of such individuals under this Act."

Advocates should be aware that the Amendments of 1978, along with the new procedural safeguards under the IWRP, and the protection and advocacy provisions under the comprehensive services program all demonstrate a continued and expanded commitment to human rights protection within the vocational rehabilitation program.

Service Delivery

The state must choose any of three options when deciding how it will deliver vocational rehabilitation services:

(1) It may decide to provide all rehabilitation services (including those to the blind) through its own staff and organizations;
(2) It may decide to delegate the service delivery to other agencies, either public or private, through a contract or purchase of services; or
(3) It may choose some combination of the above options.

Regardless of the method chosen, two requirements must be met. The State vocational rehabilitation agency remains responsible for services funded through the formula grant, and the selection of delivery methods must be explained in the state plan. These two factors are critical for advocates because compliance with them maintains responsibility for the program in a single administrative agency.

Purchase of Services Contract

If the state agency decides to contract with public or nonprofit agencies, it must use a standardized "purchase of services contract." This contract format stipulates the agency or agencies, the services to be provided, the cost of providing those services, the personnel to provide them, and their qualifications, the supervisors of the personnel providing services, the timetable for the contract, those to receive the services, and the method of evaluating the services provided. This format must be used for all arrangments regardless if they are regularly-provided services or if they are specialized services for one person.

The state must develop written policies governing the rates of payment for all purchased services. These policies must be maintained and updated by the state agency and be available to the public. They must stipulate that no vendors or individuals will provide any services unless the delivery of those services has been authorized properly by the state (see Authorizations, 45 CFR §1361.42). These contract formats and rates of payment must be documented in the state plan.

Standards for Facilities and Providers of Services (45 CFR §1361.43)

The federal regulations permit states to develop their own policies for minimum standards for the various types of facilities and providers of services they use. States may implement their own standards or those of a nationally recognized standards-setting organization. In meeting requirements for sheltered workshops, for example, many states require that the workshop be accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF). This commission consists of representatives of the American Hospital Association, the Association of Rehabilitation Facilities, Goodwill Industries of America, the National Association of Hearing and Speech Action, the National Easter Seal Society for Crippled Children and Adults, and the National Rehabilitation Association. These organizations collectively develop, maintain, and implement through the commission, standards for rehabilitation facilities. The standards address nine areas integral to the organization of any facility:

(1) purpose of the facility;
(2) organization and administration;
(3) services;
(4) personnel;
(5) records and reports;
(6) fiscal management;
(7) physical facilities;
(8) community involvement and relations; and
(9) program evaluation.

The accreditation format for CARF includes a self-survey conducted by the applicant facility, a site visit by a team of surveyors, and a recommendation for approval or disapproval of accreditation. Advocates interested in specific details concerning CARF, its standards, and procedures may contact the:

Commission on Accreditation of Rehabilitation Facilities
2500 N. Pantano Road
Tucson, Arizona 85715
(602) 886-8575

For further information concerning a state's use of these standards or others, inquiries should be directed to the State vocational rehabilitation agency (see Appendix IV).

Participation by Handicapped Persons in the Costs of Services (45 CFR §1361.45)

Federal regulations regarding the delivery of vocational rehabilitation services to Supplementary Security Income recipients prohibits the use of a financial needs test as a condition of service delivery. The state may, however, implement an economic needs test for other eligible clients. If the state does decide to require such a test, then it must establish and maintain written policies for determining financial need. These policies must indicate for which services the agency has established the test and how the test will be administered.

If a state decides to require an economic needs test for the provision of services, the federal regulations exclude certain services from this option. These services are: (a) evaluation of rehabilitation potential (except for those services other than of a diagnostic nature which are provided under an extended evaluation); (b) counseling, guidance, and referral services; and (c) placement.

Whether or not a state decides to require an economic needs test, it must give full consideration to any similar resource benefits available to a handicapped individual under other federal programs. This consideration is required so that a state ascertains whether any other program could help to defray the costs of the vocational rehabilitation services provided. This applies to all services provided by vocational rehabilitation except: evaluation of rehabilitation potential; counseling, guidance, and referral; vocational and other training services, including personal and vocational adjustment training, books, tools, and other materials, except for training or retraining services in institutions of higher education; services to members of a handicapped person's family; placement; and most employment services necessary to assist handicapped individuals to maintain suitable employment. This requirement to consider other benefits is extended also to include mental or physical restoration services and maintenance. The state may elect not to use the benefits of another program to pay for services if the use of such benefits would significantly delay, or interfere with the provision of vocational rehabilitation services.

Sheltered Workshops and Vocational Rehabilitation

The National Association of Sheltered Workshops and Homebound Programs in 1968, defined sheltered workshops as:

> ...nonprofit rehabilitation facilities utilizing individual goals, wages, supportive services, and a controlled work environment to help vocationally handicapped persons achieve and maintain their maximum potential as workers.

Sheltered workshops have two capacities in providing services to handicapped clients. First, they prepare handicapped people whose employment potentials are good for the competitive labor market. Second, they provide long-term employment and supportive services for the more severely handicapped individuals. These capacities demonstrate the diversity of the program in providing services to a wide range of handicapped persons. Many sheltered workshops are capable of serving the physically and mentally handicapped, while some shops are limited to specific clients (e.g., blind and mentally ill).

Originally, sheltered workshops were funded through the private resources of religious groups and charitable organizations. Currently the majority of funding is through federal, state, and local resources, along with incomes from private donations and the sale of shops' products or services. Sources of federal funding are Vocational Rehabilitation, Title XX, Comprehensive Employment and Training Act, and monies secured from participation in projects operating under the Javits Wagner-O'Day program.

Sheltered workshops have existed even before the vocational rehabilitation program. They have grown in concept, clients, and amount of funding since the turn of the century. Their growth has never been so great, however, since the growing demand for deinstitutionalization. Studies show that in 1968, 1,238 sheltered workshops were in operation in the United States, and by 1973, that number had grown to 3,131. During this same period, the number of workshop clients increased from 39,524 to 87,348. This growth has resulted in a number of problems, misconceptions, and failures. Such a growth in such a short period of time, especially at a time when inflation has risen at such a rapid rate and resulted in limited public and private resources, has led to many concerns on the part of those concerned with the future of the sheltered workshop concept.

Two national studies were conducted from 1973 to 1976 examining sheltered workshops across the country. One study was conducted by Greenleigh Associates and was entitled The Role of the Sheltered Workshop in the Rehabilitation of the Severely Handicapped. The Greenleigh study had two purposes:

(1) to improve services and employment opportunities available to the severely handicapped who typically are workshop clients; and
(2) to determine whether sheltered workshops are playing an effective role in the rehabilitation, training, and placement of severely handicapped individuals.

This study was mandated of the Department of Health, Education, and Welfare by the Rehabilitation Act of 1973 (PL 93-112). The study targeted 400 workshops and reached four general conclusions:

(1) Two assumptions: (a) that most handicapped individuals are work-oriented and they aspire to self-support, pursue normal life-styles, and find competitive employment; and (b) sheltered workshops aspire to assist the attainment of such objectives.
(2) Vocational Rehabilitation is the program primarily affecting the sheltered workshop through funding and client referrals. However, Developmental Disabilities and Wagner O'Day programs have increasing effects.
(3) "The ability to obtain a job is not merely dependent on a person's job skills. It is also dependent on the community."
(4) "If workshops are truly to fulfill the work needs of handicapped individuals, it is imperative that the types of work opportunities currently available be broadened."

The second study was conducted by the Department of Labor, Employment Standards Administration, Employment and Training Administration. The findings of that study were published in June, 1977, in a report entitled Sheltered Workshop Study: A Nationwide Report on Sheltered Workshops and Their Employment of Handicapped Persons. Its purpose was "...to provide specific information which will permit an evaluation of the effectiveness of sheltered workshops by various interests..." This study targeted 2,530 sheltered workshops, which was three-fourths of all known workshops at that time. It reached two general conclusions:

> "(1) The workshops have clearly demonstrated a capacity for satisfactorily performing an important job in meeting the needs of severely handicapped persons. They operate in a dual capacity of preparing the less severely handicapped worker for employment in the competitive labor market, and providing long-term sheltered employment and supportive services for the more severely handicapped person who is not likely to function independently in the community.
>
> (2) The findings of the study suggest that the sheltered workshop is a far more desirable alternative than public assistance for our handicapped population -- both from an economic and humanitarian consideration. Although the wages earned by a severely handicapped disabled person may not meet his or her total financial needs, anything which will substantially reduce his or her dependence on public assistance merits careful consideration."

Other studies that bear relevance to this topic include the Comprehensive Needs Study of Individuals with the Most Severe Handicapped of June 1975 (see Special Issues in this section, page 65), and recommendations from the White House Conference on the Handicapped. These studies contribute to the need to resolve the complex problems of sheltered workshops and vocational rehabilitation programs.

These studies have produced findings which continue to cause problems. Some findings can be singled out as particularly difficult to resolve as they pertain to the entire discussion of sheltered workshops. First, clients are divided between those who can achieve competitive employment and those who need long-term extended employment. Second, the difference in clients' needs requires funding to be divided between vocational rehabilitation resources and other sources like Title XX, Developmental Disabilities, community development funds, and the like. Third, this patchwork funding may create budgets which do not equally support diverse program efforts. Fourth, because financial support is derived from vocational rehabilitation fees, in many cases workshops are reluctant to jeopardize these funds by decreasing the number of clients in the workshop who receive the funds. This stagnates the capable workers in the effort to preserve funding for the workshop. Fifth, clients receiving Supplementary Security Income or Social Security Disability Insurance are faced with a loss of their benefits if they earn too much income. Sheltered workshops that are concerned about the welfare of the client don't encourage the client to increase his earnings because it may decrease eligibility for other support services. And finally, many workshop clients are not paid the minimum wage because their productivity is below the standard for such wages.

These six points are only a minor introduction to the controversy surrounding sheltered workshops. Advocates should be concerned about attempts to resolve these issues because the answers will definitely affect the future of resources for sheltered workshops. Currently DHEW is working on addressing Those complex areas discussed in the studies. This effort is called TESPA - Training and Employment Services Policy Analysis: An HEW Response to National Studies of Sheltered Workshops. This effort is being conducted within DHEW Assistant Secretary for Planning and Evaluation. Hopefully the results will be direction and recommendations for resolving the extraordinary number of issues presented above and as described in greater detail in the texts of each of the studies.

Work Activity Centers and Vocational Rehabilitation

In addition to sheltered workshops preparing individuals for employment in the competitive labor market, many workshops also provide long-term employment for individuals unable to achieve competitive employment. This secondary activity is often conducted in the confines of a work activity center (WAC). The national studies have stated that research into the client growth in sheltered workshops shows that the majority of the growth in sheltered workshops is in work activity centers. In fact, clients in work activity centers comprise nearly two-thirds of the total workshop population, as compared to only one-third of the population in 1968.

This growth has had similar effects on the WAC as it has had on sheltered workshops. WAC's are supported primarily by Title XX resources, which are limited resources not capable of program expansion. We already know that wages paid to sheltered workshop clients are low, so it is no surprise that the national studies document that WAC clients earned 34 cents per hour in 1973 and 43 cents per hour in 1976. The studies show further that this growth of WAC's has meant a shifting in the type of clients involved in WAC's. Whereas the workshop population was equally balanced between physically and mentally disabled persons in 1968, the studies show that WAC clients in 1977 were mostly (75 percent) mentally handicapped persons. Also the rate of growth in the regular (sheltered workshop) program has steadily declined, while work activity centers have increased in the seventies. Thus it is necessary to further consider programmatic and policy changes which will direct attention to the faster growing, but less productive clients.

The TESPA activities mentioned in the discussion of sheltered workshops are all deeply concerned about WAC's. The major question about WAC's is concerned with the appropriateness of the organizational structure to deal with the rapid growth. This question is complex because it must deal with considerations of the type of clients, the goal of the center, and the availability of resources to support such a center. The national studies show that the Fair Labor Standards Act defines clients in WAC's as involved in "inconsequential productivity" which means from zero to forty percent of the productivity of a nonhandicapped worker. This definition causes these clients to be certified differently than sheltered workshop clients. Regulations further suggest that these differently certified clients be separated from each other for accounting different wages. Thus the split programmatically has become a physical separation as well. This is viewed by the national studies as a further problem to the WAC because even though it can be (an often is) part of a sheltered workshop, separation must be maintained.

As with the sheltered workshops, the above discussion is only a portion of the problems that must be addressed and resolved if some changes are to be implemented for everyone's benefit.

Javits-Wagner-O'Day Program

The original Wagner-O'Day Act was passed in 1938 to benefit blind and visually handicapped persons employed in sheltered workshops. It directed that specific commodities and/or services purchased by the federal government be procured from one or more of these designated workshops. In 1971, the Javits Amendments (PL 92-28) to the legislation expanded eligibility for the program. The amendments extended the program to include workshops serving severely handicapped individuals but maintained workshops employing primarily blind persons as a priority.

The Javits-Wagner-O'Day (JWOD) program is administered by the presidentially appointed Committee for Purchase from the Blind and Other Severely Handicapped (referred to as the Statutory Committee). This committee consists of four private citizens representing handicapped individuals and of officials from the major procuring and operational departments of the federal government. The Committee's daily business is conducted by a small staff which unfortunately has no outreach capabilities.

The Committee has four primary mandates. It must decide:

1) if a commodity and/or service is appropriate for procurement under the statute;
2) whether a sheltered workshop is legally eligible to participate in the program;
(3) whether a workshop has demonstrated adequately the ability to produce the item according to government specifications and schedules; and
(4) what the fair market price for the commodity and/or service should be.

According to the mandates of the original Act, a central nonprofit agency was established to act as a liaison between sheltered workshops serving the blind and the Statutory Committee. This central agency is the National Industries for the Blind (NIB). NIB also allocates orders to eligible workshops, and provides technical assistance to workshops wishing to participate or participating in the program. Workshops serving the blind which decide to participate in the JWOD program must become members of NIB.

Following the 1971 amendments, it was decided that some mechanism like NIB should be developed to implement the new provisions for workshops employing the severely handicapped. Originally six national nonprofit volunteer agencies concerned with the handicapped took the initiative to address this need. These agencies were the:

Association of Rehabilitation Facilities;
Goodwill Industries of America;
National Association of Jewish Vocational Services;
National Easter Seal Society for Crippled Children and Adults;
National Association for Retarded Citizens; and the
United Cerebral Palsy Associations.

These six agencies were moderately successful in their organization, but were not entirely satisfied with their initial operation. In 1974, with a grant from Rehabilitation Services Administration, the six agencies and the Statutory Committee established the National Industries for the Severely Handicapped (NISH). NISH was mandated to accomplish two major tasks:

(1) to provide technical assistance directly to sheltered workshops and to assist in the evaluation of their capabilities. This assistance would help to determine the feasibility of production of a commodity and/or service for ultimate sale to the federal government; and
(2) to research and develop commodities and services which would be feasible for production in sheltered workshops employing severely handicapped persons.

NISH provides workshops for severely handicapped individuals with a mechanism through which workshops can work more closely with the Statutory Committee in the same manner as NIB serves its workshops for the blind and visually impaired. Unlike NIB, NISH is not a membership organization. Services of NISH are provided to qualified sheltered workshops on an equitable basis without regard to national agency affiliation or the lack thereof.

Organization and Outreach

The initial years of NISH were spent assisting the Statutory Committee to develop regulations, policies, and procedures to implement the new provisions of the JWOD program. NISH continues to serve this role in order to promote a future of growth and development for JWOD.

In other activities, NISH currently has Regional Field Offices in HEW Regions II, III, V, VI, VIII, and IX. Furthermore, it has working agreements with the National Association of Jewish Vocational Services (NAJVS) and the Northwest Association of Rehabilitation Industries (NARI). Each of these groups provides services to workshops under NISH funding according to NISH mandates. The NAJVS provides technical assistance to its membership workshops participating in JWOD across the country, while NARI functions as a regional field office for NISH in Regions IX and X. These regional field offices and future ones are intended to provide workshops with the expertise of staff assigned to geographic areas, and thus avoid any possible delays resulting from a centralized office approach. This outreach is evidence of the increasing demands by sheltered workshops across the country upon

NISH and on the JWOD program in general.

Initial Steps and Procedures

A workshop desiring to participate in the JWOD program must take two initial steps before it can become eligible. First, it must certify that it is legally eligible to participate in the program. This certification is proof that the workshop is a nonprofit organization (it includes a tax exempt certificate) serving severely handicapped persons and that severely handicapped individuals comprise 75 percent of the workshop's direct labor employees. This certification is reviewed by NISH and submitted to the Statutory Committee for acceptance. Second, the workshop must complete a "Sheltered Workshop Inventory." This inventory contains data on the financial basis for the workshop and its industrial capabilities and interests. NISH researchers use the inventory data to match the workshop's potentials with the commodities and services purchased by the federal government. This matching process in turn results in the identification of specific items as feasible for a workshop to supply through the JWOD program.

Following the matching process, any identified items are checked with the Federal Prisons Industries (FPI) and the National Industries for the Blind (NIB) catalogs and the Federal Procurement List for prior production. This check is necessary because the FPI and NIB have priority over NISH in the provision of any commodity and service through JWOD. NISH also checks with the Small Business Administration's procurement policy programs for cooperative purposes, even though they have no legal priority.

Once an item has been identified and checked with these groups, NISH works with the sheltered workshop to complete the procedures for getting the item placed on the Procurement List and assigned to that specific sheltered workshop. These procedures are specifically related to the following areas: information gathering on the item's procurement history, annual demand, and current price; impact study of the effect of removing an item from the open market; requesting assignment of the item to a workshop; priority determination; evaluation of production requirements; price establishment; NISH-workshop agreement; formal proposal to provide the commodity and/or service; and approval of the item on the Procurement List. Once an item has been placed on the Procurement List and assigned to a workshop, then that workshop is assured that if the federal government wishes to purchase that item it will do so through the assigned workshop. This does not mean that only one workshop may produce an item. Any number of workshops may be assigned depending on the annual demand and the capacity of the producers.

All of these activities are described in regulations developed by the Committee for Purchase from the Blind and Other Severely Handicapped, printed in January, 1977 (CFR Title 41, Chapter 51). NISH has developed materials which detail the steps outlined above. These materials are available on request from NISH.

Financing and Status of NISH

As mentioned earlier, the initial years of NISH were supported by a grant from the Rehabilitation Services Administration. Since the time of the grant's expiration, NISH has supported its work on commissions collected from workshops which have any number of items listed on the Procurement List. Currently there are 100 such workshops serving the severely handicapped participating in the JWOD program and more than 100 workshops developing a commodity or service for production. The table below lists the commodities and services currently provided through the JWOD program.

Some Items in Production under Javits-Wagner-O'Day

Commodities

Market Lights
Wiring Harnesses
Pallets
Wooden Stakes
Message Droppers
Pilots Clipboards
Earplug Cases
File Boxes
Pistol Lanyards
Tent Pins
Seat Assemblies
Mirrors
Battery Terminals
Blackboards
Clothes Bags
Ammonia Inhalants
Executive Furniture
Printed Circuit Boards

Commodities

Aircraft Test Leads
Cloth Suitcases
Mechanics Creepers
Paper Perforators
Hospital Gowns
Calendar Pads
Paper Clips
Desk Lamps
Chair Mats
Picture Frames

Services

Office Equipment Repair
Janitorial Services
Food Services
Grounds Maintenance
Furniture Rehabilitation
Packaging Services
Vehicle Detailing
Seedling Harvesting
Order Form Service
Mailing Services
Laundry Services
Automotive Component Rebuilding
Stamp Bursting and Packaging

Conclusion

The intent of the JWOD program is to assure sheltered workshops serving the blind, visually impaired, and severely handicapped that a market exists for their products. Although the Statutory Committee, NIB, and NISH have taken specific steps to make this intention a reality, disabled individuals themselves make the entire operation work. This is vividly demonstrated when one considers that the contract volume for NISH alone is approximately $17.5 million. The proof is there to substantiate that severely handicapped persons are prductive members of society, particularly when given the mechanism through which the goal may be accomplished.

* * * *

For more information about NISH, call or write the national office:

National Industries for the
Severely Handicapped, Inc.
4350 East West Highway, Suite 1120
Washington, D.C. 20014
(301) 654-0115

or the regional office serving your area:

NISH Region II Field Office
225 Park Avenue So., 16th Floor
New York, New York 10003
(212) 475-6333
(New Jersey, New York, Puerto Rico, Virgin Islands)

NISH Region III Field Office
One Oxford Valley
Suite 314
Langhorne, Pennsylvania 19047
(215) 752-7880
(Delaware, District of Columbia, Maryland, Pennsylvania, W. Virginia, Virginia)

NISH Region V Field Office
1400 E. Touhy Avenue, Suite 430
Des Plaines, Illinois 60018
(312) 298-5690
(Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin)

NISH Region VI Field Office
805 Avenue H East, Suite 507D
Arlington, Texas 76011
(817) 649-8505
(Arkansas, Louisiana, New Mexico, Oklahoma, Texas, Arizona*, Nevada*)

NISH Region VII Field Office
Brywood Office Tower
880 East 63rd St., Suite 212
Raytown, Missouri 64133
(806) 737-2400/2401
(Iowa, Missouri, Kansas, Nebraska)

NISH Region VIII Field Office
100 W. Cleveland Street
Lafayette, Colorado 80026
(303) 666-8424
(Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming)

NISH Region IX Field Office
840 Hinckley Road, Suite 244
Burlingame, California 94010
(415) 697-0580
(Arizona*, California, Guam, Hawaii, Nevada*)

Northwest Association of Rehabilitation Industries
2819 First Avenue, Suite 330
Seattle, Washington 98121
(206) 624-8840
(Alaska, Idaho, Oregon, Washington)

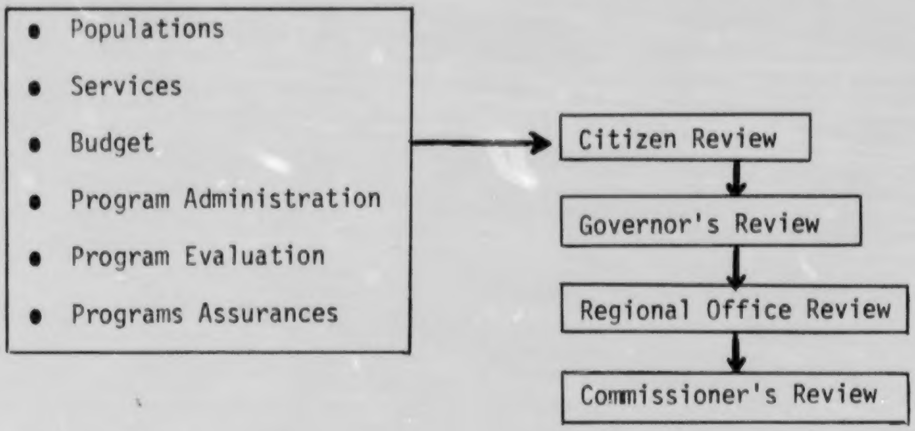
National Association of Jewish Vocational Services
225 Park Avenue S., 16th Floor
New York, New York 10003
(212) 475-2400
(All NAJVS affiliated workshops may contact the NAJVS office)

*These states may contact either region.

E. STATE PLANNING PROCESS

Each state participating in or intending to participate in the vocational rehabilitation program is required by law to submit for approval a three-year state plan to the Commissioner of the Rehabilitation Services Administration. The plan must be amended annually if requested by the Commissioner. This state plan is similar in requirements to that of other plans required for federally-supported state programs. The chart below provides a model plan design and review process.

The state plan must discuss: Plan must go through:



Populations
Services
Budget
Program Administration
Program Evaluation
Programs Assurances
Citizen Review
Governor's Review
Regional Office Review
Commissioner's Review

The state plan must describe the populations to be served, the services to be provided, the distribution of funds, the methods of service delivery and program administration, a description of the methods to be used to utilize existing rehabilitation facilities to the maximum extent feasible, the state's assurances to the Commissioner, including an assurance that facilities used comply with the Architectural Barriers Act of 1968, and the evaluation process to be used in assessing the effectiveness of services delivered. The plan must document also how the state intends to arrange the coordination of services to individuals eligible for services under this Act, the Education of the Handicapped Act, and the Vocational Education Act. All the program elements discussed in this module will be reflected in the state plan.

All state plans for vocational rehabilitation are written using a "pre-printed" format developed by the Rehabilitation Services Administration. This uniform format is used for two reasons: standardization and simplification. Using a standardized format allows for easy comparison between state programs, while the simplicity gives order to the myriad of requirements which must be satisfied. The pre-print form is very technical and, requires the state to indicate its disposition toward the various elements of the program. In some cases, it simply requires an assurance for a mandated provision, while in other cases it requires the state to select among various options. Advocates should understand that the state is often required to explain its disposition by adding appendices. These materials should be contained in the plan for clarification.

To assist advocates in becoming familiar with the state plan format, the Table of Contents for the FY1979 pre-print is presented below. It should be understood that the pre-print is modified each year as necessitated by changes in the law, regulations, and RSA guidelines. Since the enactment of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, this pre-print will require changes. States which have already submitted the FY1979 plan may be required to submit additional information required of the new Act. For this reason, the Table of Contents below may differ from state plans for earlier years. It should be further noted that the page numbers for an actual plan may differ from the ones below because of attachments, but the format of sections will remain the same.

FY 1979 STATE PLAN FOR VOCATIONAL REHABILITATION SERVICES UNDER
SECTION 101 OF THE REHABILITATION ACT OF 1973, AS AMENDED

Table of Contents

PAGE

SECTION 1. PLAN SUBMITTAL AND PURPOSE 1

1.1 Submittal and Purpose 1
1.2 Consolidated VR/DD Plan 1-2
1.3 Services to the Blind 2
1.4 Submittal of State Plans and Plan Amendments 2
1.5 Opportunity for Governor's Review and Comment 3

SECTION 2. LEGAL BASIS....................................3

SECTION 3. AGENCY ORGANIZATION....................................4

- 3.1 Designation and Authority of Sole State Agency.......4
- 3.2 Type of Sole State Agency..............................4-5
- 3.3 Organization and Functions of the Sole State Agency and VR Organizational Unit..........................5-7
- 3.4 Local Administration of VR Program...................8
- 3.5 Statewideness...9

SECTION 4. PERSONNEL ADMINISTRATION..........................9

- 4.1 Type of Personnel System..........................9-10
- 4.2 Affirmative Action Plan for Equal Employment Opportunity...10
- 4.3 Affirmative Action Plan for Employment and Advancement Opportunity for Handicapped Individuals........11
- 4.4 Consistency with State Licensure Laws and Regulations...12
- 4.5 Maintenance of Written Personnel Policies and Records...12
- 4.6 Staffing..12
- 4.7 Staff Development.....................................13
- 4.8 Participation in Political Activity..................13

SECTION 5. FINANCIAL ADMINISTRATION...........................13

- 5.1 Sources of State Funds................................13
  - (a) State Financial Participation...................13
  - (b) State, Local, and Other Financial Participation.13
- 5.2 General Administration and Fiscal Requirements......14

SECTION 6. SCOPE OF AGENCY PROGRAM............................14

- 6.1 Vocational Rehabilitation Services to Individuals....14
  - (a) List of Services................................14
  - (b) State Agency's Written Policies on Such Services.......................................15
- 6.2 Vocational Rehabilitation Services to Groups of Handicapped Individuals..........................16
  - (a) Management Services and Supervision of Small Business Enterprises.........................16-17
  - (b) Construction of Rehabilitation Facilities.......18
  - (c) Establishment of Rehabilitation Facilities......18
  - (d) Facilities and Services for Groups of Handicapped Individuals......................18
- 6.3 Economic Need...19
  - (a) State Policy....................................19
  - (b) Equitable Treatment.............................20
- 6.4 Similar Benefits......................................20
  - (a) VR Services for which Consideration of Similar Benefits is Required..................20-21
  - (b) VR Services for which Consideration of Similar Benefits is Provisional................21
  - (c) Adequacy of Similar Benefits....................21
  - (d) Maximum Utilization of Community Resources......22

SECTION 7. ELIGIBILITY, INELIGIBILITY, AND CERTIFICATION........22

7.1 Basic Conditions of Eligibility for VR Services......22
7.2 Factors Irrelevant to Eligibility for VR Services....22
(a) Sex, Race, Age, Creed, Color, National Origin, Type of Disability............................22-23
(b) Residence...................................23
7.3 Federal Civil Employees Disabled in Line of Duty.....23
7.4. Diagnostic Study....................................23
(a) Preliminary Diagnostic Study..................23-24
(b) Thorough Diagnostic Study.....................24-25
7.5. Conditions for Acceptance for Extended Evaluation....25
7.6 Duration and Scope of Services and Periodic Review in the Course of Extended Evaluation and Termination of Such Evaluation............................25-26
7.7 Certification of Eligibility, Ineligibility, or for Extended Evaluation..............................26
7.8 Individualized Written Rehabilitation Program........27-28

SECTION 8. METHODS OF ADMINISTRATION PARTICULAR TO VOCATIONAL REHABILITATION.................................28

8.1 Continuing Statewide Studies and Program Evaluation..28
(a) Conduct of Statewide Studies..................28-29
(b) Coordinated or Joint Statewide Studies..........29
(c) Annual Evaluation of Program Effectiveness......30
(d) Changes in Policy Resulting from Statewide Studies and Annual Program Evaluation..........30
8.2 Order of Selection and Outcome and Service Goals.....31
(a) Applicability of an Order of Selection to this Agency..31
(b) Outcome and Service Goals.......................32
(c) Special Consideration for Certain Public Safety Officers...............................32
8.3 Methods to Expand and Improve Services to the Severely Handicapped...............................32
8.4 Processing Referrals and Applications................33
8.5 Case Recording and Authorization of Services.........33
(a) Individual Case Record........................33
(b) Authorization of Purchase of Services...........33
8.6 Periodic Reevaluation of Extended Employment in Rehabilitation Facilities........................34
8.7 Individuals Determined to be Rehabilitated..........34-35

SECTION 9. GENERAL METHODS OF ADMINISTRATION...................35

9.1 Methods Necessary for Proper and Efficient Administration.....................................35
9.2 Consultation with Recipients and Providers of VR Services.......................................35-36
9.3 Standards for Facilities and Providers of Services...36
9.4 Rates of Payment.....................................36
9.5 Confidential Information.............................37
9.6 Administrative Review of Agency Action and Fair Hearing.......................................37

9.7 Reports..37
9.8 Cooperation with Other Public Agencies...............38
9.9 Cooperative Programs Utilizing Third Party Funds.....39
9.10 Joint Project or Program...............................40
9.11 Nondiscrimination......................................40
    (a) On Basis of Race, Color, or National Origin.....40-41
    (b) On Basis of Physical or Mental Handicap.........41-42

SECTION 10. VR SERVICES FOR DISABILITY BENEFICIARIES PAID FROM SOCIAL SECURITY TRUST FUNDS.........................42
SECTION 11. VR SERVICES FOR BLIND AND DISABLED RECIPIENTS PAID FROM SUPPLEMENTAL SECURITY INCOME PROGRAM FUNDS..........43

* * *

Consolidated Rehabilitation Plan (45 CFR §1361.2(d))

The 1973 Rehabilitation Act made it optional for a state to consolidate its vocational rehabilitation state plan with the state plan for its Developmental Disabilities program. This consolidated state plan must comply with the vocational rehabilitation and developmental disabilities programs. See the Developmental Disabilities module of this series for a discussion of the state plan requirements under that program.

The State Planning Council for Developmental Disabilities and the State agency administering the Developmental Disabilities program must agree to this consolidation. To date, no state has made use of this consolidation provision. The primary reason appears to be the difficulty in reconciling all the requirements of the two programs. States do not appear to view such consolidated state plan provisions as an advantage.

State Plan Review (45 CFR §1361.3)

The state plan must be submitted to the Governor for his review and comments before the plan is transmitted to the regional office of RSA. The Governor's review pertains to the state plan and all amendments and long-range program planning projections. He must be afforded 45 days for his review. His comments, if any, must accompany the plan to RSA. During the program year, RSA requires statistical, budget and fiscal reports from the state. In some states, these reports must also be presented to the Governor for his review and comments. However, this is not required by federal law and regulations.

Timetable (45 CFR §1361.4)

The regulations are very specific about the timetable for submission and approval of the state plan. For programs starting October 1 (the beginning of the federal fiscal year) state plans must be submitted no later than May 1. This lead time permits the regional and central offices of RSA to review, negotiate, and approve the plan by September 30.

Withholding of Funds (PL 95-602, §101(c))

When, after reasonable notice to the state and an opportunity for a hearing, it is found by the Commissioner of RSA that the state plan (or the consolidated state plan) does not comply with the regulations, or is found to no longer comply with the regulations, formula grant funds may be withheld from the state. The Commissioner must notify the state in writing of any intention to withhold, limit, or suspend vocatonal rehabilitation funding.

The regulations indicate that every attempt be made to negotiate a resolution to noncompliance. Only after this has been determined to be impossible should state funds be withheld. The 1978 Amendments give the Commissioner new responsibilities regarding the awarding or withholding of funds to another public or nonprofit private organization or agency within the state. These amendments indicate that if the requirements of the state plan are fulfilled, and the entity contributes the same amount of funds as the state would have been obligated to contribute, then the distribution of formula grant funds can be made.

Meanwhile, if the state which has had its funds withheld is dissatisfied with the Commissioner's determination, then it may file a petition for judicial review in the U.S. Court of Appeals for the circuit in which it is located. The details of steps for judicial review are contained in the law (§101(d)(1-3), PL 95-602).

Public Comment

The federal vocational rehabilitation regulations do not require State vocational rehabilitation agencies to conduct public hearings on their proposed state plans. The State agencies can elect to conduct such hearings, but only at their option. Advocates should influence the State agency to conduct hearings so that the public may comment on the plan if it so chooses.

Before the state plan is approved by the Governor and transmitted to the regional office of RSA, federal guidelines require that a notice of intent to submit the plan be published through the A-95 clearinghouse procedure. This procedure has been developed by the Federal Office of Management and Budget. It is designed to be a public announcement for parties interested in vocational rehabilitation to notify them that a plan or application for federal funding is being submitted to a federal agency. As a result of this notice, public and private agencies, planning boards and commissions, and individuals are afforded the opportunity to review and comment on the plans or application. The agency submitting the plan or application should respond to all comments attempting to satisfy the concerns of interested parties. This A-95 procedure has a 45-day comment period. At the conclusion of the 45 days, the A-95 procedure "signs off" on the plan or document. This sign-off means that the plan has complied with the procedure and comments have been satisfied Herein lies some deception.

Generally the agency responsible for the A-95 procedure does not itself review a plan. It simply knows that a plan or application has received a public announcement. Nor does it keep track of whether anyone has submitted comments on the proposal. Therefore, when the State agency signs off on a plan after the 45 days, it truly does not know if all comments have been satisfied or not. Only if the agency for the A-95 procedure was aware of comments and the responses could it really state that the plan has "cleared."

To safeguard this procedure, advocates who have comments should notify the A-95 agency (which generally is the State planning office) that they have submitted such comments to the agency responsible for the plan. The advocates should make the A-95 agency aware of any responses received from the agency. If they keep the A-95 agency informed about the responses, including their degree of satisfaction with the responses, then the A-95 agency can take a more positive role in the sign-off. Advocates should also send information on this process to the Governor.

The Governor is important in this process for two reasons. First, a governor will often attribute credibility to plans that receive a A-95 sign-off automatically, as he may use the procedure as his own review process. Second, a state plan issue raised by the advocate could persuage a governor to further review a plan before it is approved for submission. Advocates wanting to make the governor more aware of their concerns should take advantage of this opportunity.

Some states have their own administrative procedures similar to the A-95 procedure for clearinghouse activities. These procedures are more local in focus and can be used to bring issues out before a plan is submitted to the federal agency.

Conclusion

The importance of the state plan cannot be overstated. At the beginning of each fiscal year the State agency must submit revisions which comply with the requirements indicated in the regulations (45 CFR §1361.2-.53). Once approved by the Commissioner of Rehabilitation Services Administration, this plan is a legally-binding contract between the federal government and the state over the provision of the vocational rehabilitation program services. Advocates should review the state plan for clarifications of any questions about the program in the state. The plan should provide at least a partial answer and references as to where the answer may be found.

As a final note, it is suggseted that an individual with a developmental disability or his advocate interested in implementing the above system identify someone at the State agency level who can answer his questions about the program. The state plan is generally written by an agency's planning staff. This staff relies upon information provided by the program staff. Between these two staffs, an advocate should identify someone who can follow an issue beyond the formal state plan. This assistance should prove most valuable through this learning experience, and offer a liaison with the agency after the effort is completed.

F. NATIONAL COUNCIL ON THE HANDICAPPED (PL 95-602, §400-§405)

The National Council is an entirely new provision of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978. This National Council is designed to spearhead federal efforts to develop national policy regarding all handicapped Americans. As the Senate subcommittee on the handicapped has stated, "the needs of handicapped and severely handicapped are not being communicated adequately at the highest levels of government." The National Council is envisioned as one forum to address this communications failure.

The National Council will be established within the Department of Health, Education, and Welfare. It will consist of fifteen (15) representatives appointed by the President, with the advice and consent of the Senate. The members are to be representative of handicapped persons (including individuals with developmental disabilities), national organizations concerned with the handicapped, providers and administrators of services to the handicapped, individuals engaged in medical or scientific research relating to the handicapped, business concerns, and labor organizations. In requiring representation of handicapped individuals, the law stipulates that at least five members of the National Council must be persons with a handicap, or parents or guardians of handicapped individuals.

The original Council members shall serve staggered terms to allow for a gradual change of membership, but future members will serve for three-year terms. Members may be reappointed and may serve after their term has expired until a successor is appointed. Anyone filling a vacancy occurring on the National Council before the expiration of the term for which his predecessor was appointed may be appointed only for the remainder of that term.

The chairman of the National Council will be designated by the President from the appointed members. The chairman is responsible for calling the meetings of the National Council. He should call meetings are least four times each year. Eight members of the Council must be present at a meeting to constitute a quorum.

The duties of the National Council will include:

(1) establishing general policies for, and reviewing the operation of, the National Institute of Handicapped Research (NIHR);
(2) providing advice to the Commissioner with respect to the policies and conduct of the Rehabilitation Services Administration (RSA);
(3) advising the Commissioner, the appropriate Assistant Secretary of DHEW, and the Director of NIHR on the development of the programs authorized by this Act;
(4) reviewing and evaluating on a continuing basis all policies, programs, and activities concerning handicapped individuals and persons with developmental disabilities conducted or assisted by Federal departments and agencies, including programs established or assisted by this Act, or under the Developmental Disabilities Assistance and Bill of Rights Act, in order to assess the effectiveness of such policies, programs, and activities in meeting the needs of handicapped individuals;
(5) making recommendations to the Secretary, the Commissioner, and the Director of NIHR respecting ways to improve research concerning handicapped individuals, the administration of services for the handicapped, and the methods of collecting and disseminating the

findings of such research, and making recommendations for facilitating the implementation of programs based upon such findings; and

(6) submitting not later than March 31 of each year (beginning in 1980) an annual report to the Secretary, the Congress, and the President, containing (a) a statement of the current status of research concerning the handicapped in the U.S.; (b) a review of the activities of RSA and the NIHR; and (c) such recommendations respecting the items described in clauses (a) and (b) as the National Council considers appropriate.

To help the National Council carry out its duties, the law permits the Council to appoint its own staff consisting of up to seven technical and professional employees. This staff may be augmented by use of temporary and intermittent services (consultants). The law further requires that necessary administrative support services be provided to the Council by the administrator of General Services.

The National Council may prescribe bylaws and rules it deems necessary to operate effectively. The Council is empowered to conduct hearings, take testimony, and receive evidence as it deems desirable. To further extend the National Council's ability to address issues, it may appoint advisory committees. These committees, however, may not receive compensation. Finally, the Congress may authorize such sums as may be necessary to carry out the activities of the Council.

Special Issues

Four specific issues which will be key to the success of the National Council can be identified. These issues are:

(1) organizational location;
(2) appointees;
(3) appropriations; and
(4) regulations.

The first issue is critical for two reasons: (1) according to law, the National Council must be established within the Department of Health, Education and Welfare, and (2) the Senate subcommittee on the handicapped has expressed a desire that the Council function as an independent body not under the control of any one federal agency. The organizational location issue is further emphasized by additional Senate subcommittee language which states that the Council should not be colocated in any agency which has administrative responsibility for legislation relating to the handicapped. The subcommittee's rationale for this latter statement is based on experience demonstrating that such colocation tends to stress a particular program's concerns, rather than the broader issues which are the rightful responsibility of such a council. The question which must be resolved is if the National Council is to be established within DHEW, where might it be located to assure that it addressed the broader issues confronting handicapped Americans?

The second issue revolves around the actual composition of the National Council. The law clearly stipulates the areas which should be represented on the National Council. It even acknowledges the fact that it has terminated the National Advisory Council on Developmental Disabilities by requiring that the membership include representatives of the developmentally disabled. But even beyond the concern that the Council adequately represent all the handicapped is the concern that appointments be made and that the appointees be truly representative and eager to address the issues.

The third issue is as critical as it is obvious. Even with all the mandates and administrative rules that empower the National Council, its effectiveness could be hampered, if not undermined, by the lack of appropriations (funds) for Council activities. The Congress did not consider it essential to authorize specific funds for the National Council. Rather, it used language calling for "such sums as necessary." This is not necessarily negative, but it does create some wonder about the level of commitment from the Congress concerning the success of the Council. Particularly because this Council is new, it may be difficult to estimate the need for financial resources to fulfill the mandates. One should be mindful that if no funds or very little amounts are appropriated, the potentials of such a Council will be affected directly.

The final issue concerns the pormulgation of regulations for the National Council. Currently the absence of regulations permits free thinking about the potentials of this Council. However, besides being affected by the organizational location, membership and funding, these potentials could be impaired or enhanced by regulations. The regulations issue shows the relationship among all four issues. The responsibility for developing these regulations has been given to the Office of Human Development Services (OHDS). Although RSA is part of OHDS, it has not yet been given any responsibilities to develop these regulations. Advocates concerned with the future of the National Council should be mindful of the power of regulations, and actively attempt to influence their development so that they facilitate rather than prevent achieving goals.

In conclusion, the National Council on the Handicapped has all the basic elements necessary to involve itself in the broad issues confronting the handicapped. Advocates should understand that the realization of goals will continue to require work, at least until critical issues such as those mentioned in the preceding paragraphs are settled in a manner consistent with the intent that this Council spearhead the development of national policy affecting all handicapped Americans.

G. OTHER RESOURCES

In addition to the formula grants awarded to States and previously mentioned resources, there are yet other resources available through the vocational rehabilitation program. In this section, these additional resources are identified. Advocates interested in further information about these resources should contact their State vocational rehabilitation agency, their regional office of RSA, or the Secretary of DHEW.

Special Projects and Demonstrations: Improved Services to the Severely Handicapped (45 CFR §1362.40)

Section 304 (b)(1) of the Act provides grants to States, and public and other nonprofit agencies and organizations for special projects and demonstrations to expand or improve rehabilitation services to handicapped individuals, especially the most severely handicapped. The severely handicapped include individuals with spinal cord injuries, older blind individuals, deaf individuals whose maximum potential has not been reached, and individuals with developmental disabilities.

Grants are awarded on an open competitive basis for a maximum of three years. The applicant is required to match the total cost of the grant with 10 percent. The regulations contain special considerations for each of the areas that can be addressed. The special considerations for grants involving individuals with developmental disabilities are that the grant must be planned jointly with the State vocations rehabilitation agency and the State Developmental Disabilities agency and Council.

Grants shall include provision to:

(1) Initiate or expand vocational rehabilitation service programs for individuals with developmental disabilities with special rehabilitation problems resulting from the severity of their disabilities or combination of disabilities; or

(2) Demonostrate innovative techniques or methods of providing intensive vocational rehabilitation services in a manner not generally available to such individuals.

Advocates should inquire whether the State has participated in this grant program. It may serve as a practical resource for demonstration pilot projects involving the developmentally disabled.

Special Projects and Demonstrations: New Approaches to Service Delivery; Making Recreational Activities Accessible to the Handicapped (45CFR §1362.41)

Under section 304 (b)(2) of the Act, grants may be awarded to States and public and other nonprofit agencies and organizations to apply new types or patterns of services or devices, including opportunities for new careers for handicapped individuals or other individuals in programs serving handicapped individuals. Grants also may be awarded under the authority of section 304 (b)(3) of the Act for operating programs (including renovation and construction of facilities, where appropriate) to demonstrate methods of making recreational activities fully accessible to handicapped individuals.

These grants may be awarded for a maximum of three years, and are matched by 10 percent. The regulations contain specific provisions for these activities concerning allowable expenditures, evaluation components and special considerations.

Grants for Services for Handicapped Migrating Agricultural Workers or Seasonal Farmworkers (45 CFR §1362.42)

Grants awarded to State or local vocational rehabilitation agencies or to provide vocational rehabilitation services to handicapped individuals who are migrating agricultural workers or seasonal farmworkers, and to family members (whether or not handicapped) who are with them. Services to the families, however, must be considered necessary to the vocational rehabilitation of the individual.

These grants are designed to encourage joint efforts among State agencies. The federal financial participation is 90 percent and is available for:

(1) Staff training determined to have significant implications for improving the capacity of the State agency to serve handicapped migrating agricultural workers or farmworkers. Staff development can include training in appropriate language skills;
(2) Personnel (including fringe benefits);
(3) Supplies:
(4) Travel;
(5) Equipment;
(6) Consultants;
(7) Administration and other direct costs;
(8) Minor alterations of buildings;
(9) Other costs approved by the Commissioner.

Projects with Industry (45 CFR §1362.43)

Section 304 (d) provides for contracts or jointly financed cooperative arrangements with employers and organizations for projects which are designed to prepare handicapped individuals, especially severely handicapped individuals, for gainful and suitable employment in the competitive labor market. These projects may include training and employment in realistic work environments.

Contracts may be made with employers and organizations which the Commissioner approves. These may include industrial, business, or commercial enterprises, labor organizations; employer, industrial or community trade associations; or other organizations with the capacity for administrating such a program.

All applicants must share the costs of projects, although no set matching rate exists. The match for each project is a matter subject to negotiations Federal financial participation is available for:

(1) Costs of job training and related vocational rehabilitation services;
(2) Instruction and supervision of trainees;
(3) Training materials and supplies;
(4) Instructional aids;
(5) Excessive waste and scrap;
(6) Bonding fees, liability, and insurance premiums;
(7) Modified equipment;
(8) Minor alterations to physical plants; and
(9) Other costs approved by the Commissioner.

Projects for Vocational Training Services (45 CFR §1362.44)

These projects provide vocational training leading to maximum employability to handicapped persons, particularly the severely handicapped, in public or private nonprofit rehabilitation facilities. In addition to having a nonprofit classification rehabilitation facilities must comply with regulations pertaining to the operation of the facility, the training provided, compliance with occupational health and safety standards, and the ability of the facility to successfully prepare clients for employment. Projects may last no longer than three years and are financed 90 percent with federal funds.

Individuals eligible to participate in a training project must be eligible for general rehabilitation services and be determined by the appropriate State agency a suitable for and in need of such training. The most severely handicapped individuals will be given priority consideration in the enrollment of project participants.

National Institute of Handicapped Research (PL 95-602 §107 thru 112)

Section 202 which establishes the National Institute of Handicapped Research (NIHR) is considered by the House Committee on Education and Labor as one of the most significant provisions of PL 95-602. The prospective duties of the NIHR mark its singularity. The National Institute of Handicapped Research is empowered "to provide for a comprehensive and coordinated approach to the administration and conduct of research, demonstration projects, and related activities for the rehabilitation of handicapped individuals, including programs designed to train persons who provide services and persons who conduct research, by authorizing Federal assistance in accordance with a plan for rehabilitation research developed under this title."

A presidentially appointed director, selected with the advice and consent of the Senate, will head the National Institute. The director and the Institute will be housed within the Department of Health, Education and Welfare. He will report to the Secretary of DHEW or to the same Under Secretary or Assistant Secretary of DHEW as does the Commissioner of RSA. Therefore, the director of NIHR and the Commissioner of RSA may be considered in parallel-level with regards to the chain of command in DHEW. A Deputy Director, appointed by the Secretary of DHEW will support the director and act in his absence. The National Institute will have other staffing for the Institute and will consist of technical and professional employees as deemed necessary by the director, and approved by the President. These employees may serve no more than three-year terms. In addition, the director may appoint and compensate other employees without regards to the provision of the regular staff. These employees may not however exceed one-fifth of the regular staff in numbers. The law further permits the director to obtain consultant services, and establish and maintain fellowship. These fellowships may provide stipends and allowances including and subsistance expenses.

The duties of the director shall be conducted through the Institute and consist of:

(1) administering the programs described in Section 204 (research grants and contracts; research and training centers, rehabilitation engineering research centers, spinal cord research, end-stage renal disease research and international rehabilitation research);
(2) disseminating information acquired through research funded by the Institute to other federal, state and local public and private agencies/organizations engaged in research relating to rehabilitation or providing rehabilitation services;
(3) coordinating, through the Interagency Committee (Page 140) established through this Act, all federal programs and policies relating to research in rehabilitation;
(4) disseminating educational materials to primary and secondary schools, institutions of higher education, and to public and private entities concerning how the quality of life of handicapped individuals may be improved;
(5) conducting an education program to inform the public about ways of providing for the rehabilitation of handicapped individuals, including information on family care and self care:
(6) conducting conferences, seminars, and workshops (including in-service training) concerning research and engineering advances in rehabilitation pertinent to the problems of handicapped individuals;
(7) taking whatever actions necessary to keep the Congress fully and currently informed with respect to the implementation and conduct of programs and activities carried out under this title (research); and
(8) producing in conjunction with the Department of Labor, the National Center for Health Statistics, the Bureau of the Census, the Social Security Administration and other federal departments and agencies, as may be appropriate, statistical reports and studies on the employment, health, income, and other demographic characteristics of handicapped individuals and disseminating such reports and studies to rehabilitation professionals and others to assist in the planning and evaluation of vocational and other rehabilitational services for the handicapped.

In coordinating these rehabilitation research-related tasks, the director is required by law to develop and submit a long-range plan for rehabilitation research to appropriate committees of the Congress. This plan must be submitted within eighteen months after the effective date of this section, (May, 1980). The plan shall (1) identify any research which shouldbe conducted respecting the problems encountered by handicapped individuals in their daily activities, especially problems related to employment; (2) determine the funding priorities for research activities under this section and explain the basis for such priorities, including a detailed description of any new types of research recommended under this paragraph for funding; and (3) specify appropriate goals and time tables for activities to be conducted under this Title.

This rehabilitation research plan shall be developed in consultation with the Commissioner of RSA, the National Council on the Handicapped, the Commissioner of Education, those responsible for administration of the Developmental Disability Assistance and Bill of Rights Act, the Interagency Committee, and any others considered appropriate by the Director. The plan may be amended at any time, but it need not be revised or reviewed more than once every three years.

To strengthen the trend towards cooperation among federal departments and agencies conducting research, the Director will consult with program administrators and the Interagency Committee (See Page 140) regarding the design of research conducted by these entities and the results and application of such research. Any administrator of any program of the National Institute for the Handicapped, the Veterans' Administration, National Science Foundation, National Aeronautics and Space Administration, Bureau of Education for the Handicapped or of any other federal entity, shall, through the Interagency Committee, consult and cooperate with the Director in carrying out such programs if they are related to rehabilitation research. The Director shall take whatever action appropriate to provide for a comprehensive and coordinated research program. The Director may conduct joint activities with other federal departments and private entities to accomplish this comprehensive and coordinated approach. Any federal entity proposing to establish a research project related to this area shall consult with the Director through the Interagency Committee. The committee and the director must be provided with sufficient prior opportunity to comment on the proposed project.

Interagency Committee (PL 95-602 §203)

This committee also will be established within DHEW and will be chaired by the director of NIHR. The interagency committee will convene four times a year to identify, assess, and seek to coordinate all federal programs, activities, and projects, and plans for such programs, activities and projects with respect to research related to rehabilitation of handicapped individuals. The committee must submit to the President and appropriate committees of Congress an annual report regarding coordination of policy and the development of priorities for all federal departments and agencies conducting or funding research in the area of rehabilitation. This report must be submitted eighteen (18) months after the effective date of this Act (May, 1980) and annually thereafter.

The committee is to consist of such members designated by the President, including:

- Commissioner of Rehabilitation Services Administration;
- Commissioner of Education;
- Administrator of Veterans' Affairs;
- Director of National Institute of Health;
- Administrator of National Aeronautics and Space Administration;
- Secretary of Transportation; and
- Director of National Science Foundation

Rehabilitation Research (PL 93-112, as amended §200, and PL 95-602 §111)

The Rehabilitation Act of 1973 continued authority under the program to award grants and contracts to States, public and nonprofit agencies and organizations, including institutions of higher education, for the "purpose of planning and conducting research, demonstrations, and related activities which bear directly on the development of methods, procedures, and devices to assist in the provision of vocational rehabilitation services to handicapped persons." This purpose is continued with the 1978 amendments with some additions and deletions.

The projects include a wide range of activities including:

> "medical and other scientific, technical, methodological and other investigations into the nature of disability, methods of analyzing it, and restorative techniques; studies and analysis of industrial, vocational, social, pyschological, economical and other factors affecting rehabilitation of handicapped individuals; special problems of homebound and institutionalized individuals, studies, analysis', and demonostrations of architectured and engineering design adapted to meet the special needs of handicapped individuals; and related activities which old promise of increasing knowledge and improving methods in the rehabilitation of handicapped individuals and individuals with the most severe handicaps."

Originally the authority to award grants under this part rested with the Secretary of DHEW, who acted through the Commissioner of RSA. The new amendments, however, transferred the granting and contract authority to the Director of the National Institute of Handicapped Research. At this point, therefore, it is uncertain how these funds will be awarded. These funds will undoubtedly be included under the new rehabilitation research plan mandated of the Director. And this may affect the procedures and timetable for awarding these funds. In the past, the regional office of RSA acted as the link between applicants and RSA. It will remain to be seen if this will still be the case.

In addition to a general grant authority there are specific programs included under the broad heading of research. These program aspects consist of old and new provisions which are discussed below.

Research and training centers exist across the country in collaboration with institutions of higher education. These centers concentrate on providing coordinated and advanced programs of research in rehabilitation and training of personnel, including, but limited to, graduate degree training (See Appendix VI Research and Training Centers)

"R and T Centers", as they are called, are established in institutions with well-recognized programs of scientific research designed to solve complex problems regarding management of disabling conditions, preparation for employment, training research personnel, and related activities. Training of research personnel must be in conjunction with research activities in the areas of client care and scientific knowledge.

The amendments of 1978 also transferred this authority to the Director. They further require that the research activities of a Center will be determined on the basis of the needs of handicapped persons in the geographic area served by the Center. These activities may include basic or applied medical rehabilitation research and research into the psychological and social aspects of rehabilitation. Each Center is encouraged to develop practical applications of their findings. And funds awarded may be used for the cost of services rendered to an individual in connection to the research effort.

The amount of non-federal match for research and training centers is determined at the time of the grant award. Most grantees are long-time participants in the program who are renewed every five years. Federal funding is available for costs listed in section 1362.8 of the regulations which includes:

(1) Stipends for students (including dependency allowance);
(2) Tuitions and fees; and
(3) Student travel.

Traineeships and research fellowships may be awarded to research and training centers. Federal regulations regarding traineeships are discussed in 45 CFR §1362.76.

Rehabilitation engineering research centers are concerned with two efforts:

(1) Developing innovative methods of applying advanced medical technology, scientific achievement, and psychological and social knowledge to solve rehabilitation problems through research; and

(2) Cooperating with State agencies in developing systems of information exchange and coordination to promote the prompt utilization of engineering and other scientific research to assist in solving problems in rehabilitation.

Each center's program must be located in a clinical rehabilitation setting. This setting must provide an environment for cooperative research and the transfer of research findings to practice. Centers must be developed around a core research area to be explored from a variety of aspects to solve the problems in applied rehabilitation. Centers may emphasize the medical, technological management of disabling conditions, the adjustment of limitations of functions of the individual and the environment, service delivery systems, and other areas. All centers are mandated to develop information exchange and coordination systems in cooperation with State agencies.

Certain universities, State rehabilitation agencies, and public or nonprofit agencies or organizations affiliated with universities which have well-recognized, developed clinical rehabilitation programs and cooperative medical and engineering schools are eligible applicants for engineering research center funds. The matching requirements are negotiated with each applicant at the time of the award. These programs must be established with the intention of providing national assistance.

There are eighteen rehabilitation engineering centers. (See Apendix VII) Three centers are international in scope and are located in Egypt, Poland and Yugoslavia. (See Page184) Two centers are actually research and training centers located in New York and Massachusetts, but they are also designed engineering centers. Only one center is not located in a medically oriented environment, and it is a non-university sponsored center. It is located in Wichita, Kansas and isco-sponsored by UCP of Kansas and Wichita State.

Spinal cord injury research programs must be designed to:

(1) Ensure dissemination of research findings among all rehabilitation research and demonstrating projects;
(2) Provide encouragement and support for initiatives and new approaches by individuals and institutional investigations;
(3) Establish and maintain working relationships with the Veterans' Administration, National Institutes of Health, and other organizations engaged in similar efforts. This should help coordinate and unify joint planning among projects and promote informational exchange.

State agencies and other public or nonprofit agencies, including hospitals, rehabilitation facilities, clinics and universities, may apply for grants to acquire new knowledge which will improve rehabilitation services for the spinal cord-injured. Activities may concentrate on methods, techniques, research, and demonstrations focusing on the medical, psychological, vocational, or social aspects of spinal cord-injury rehabilitation. Research areas emphasized include, but are not limited to, developing new rehabilitation methods and techniques, the prevention and treatment of complications, the adjustment of the spinal cord-injured to catastrophic disability, innovative vocational, educational, and community placement services, methods of follow-up care, and the benefits of various service delivery models.

End-stage renal disease research programs follow the same guidelines for activities and programs as do those for the spinal-cord injury research program. These projects include research and demonstration projects providing special services (including transplantation and dialysis), artificial kidneys, and the suppliers necessary for the rehabilitation of individuals suffering from kidney disease. Besides the general areas of financial participation (See 45 CFR §1362.8), funds may be utilized for:

(1) Medical and technical expenses necessary for treatment for end-state renal disease;
(2) Purchase or rental of renal dialysis and other machines and suppliers necessary for treatment of the disease, when no other federal, State, or other funds are available;
(3) Training cost to instruct patients and family in the use of dialysis and other machines related to treatment. This may also include costs for home aides;
(4) Necessary modifications of patient's living quarters;
(5) Hospital and related medical expenses for a kidney donor;
(6) Laboratory fees; and
(7) Tissue matching.

A special consideration exists for individuals selected to participate who already receive services to treat end-stage renal disease, in that these services will not be costs attributed to the grant.

International programs for rehabilitation research, demonstration and training are designed solely as the United State's participation in the international field of vocational rehabilitation. This program provides funds for joint research and demonstration projects, training of personnel, information exchange, interchange of experts, and technical assistance. Eligible applicants may be international and domestic public and nonprofit agencies, organizations, and universities. Applicants for fellowships must be submitted to the Commissioner of RSA. Foreign applicants must have the approval of their government.

Besides the transferring of the funding authority to the Director, the 1978 amendments added some very important research areas to this section. These areas are to have research funded through NIHR and represent some new directions for the vocational rehabilitation program. The new research areas are:

(1) programs concerning the use of existing telecommunications systems, (including telephone, television, satellite, radio and similiar systems) which may improve service delivery methods, and help develop appropriate programming to meet particular needs;

(2) programs of joint projects with the National Institute of Health, the Health Services Administration, the Administration on Aging, the Office of Education, National Aeronautics and Space Adminstration, other federal agencies, and private industry in areas of joint interest involving rehabilitation;

(3) programs related to the rehabilitation of children and persons sixty or older;

(4) programs to develop and demonstrate methods to attract and retain professionals to serve in rural areas;

(5) programs to study the feasibility of establishing a center for producing and distributing captioned video cassettes providing a broad-range of educational, cultural, scientific and vocational programming to deaf individuals;

(6) programs to develop innovative methods of providing preschool aged children with services, including (A) early intervention, parent counseling, infant stimulation, early identification, diagnosis, and evaluation of severely handicapped children to age five, with a special emphasis on severely handicapped children up to age three; (B) such physical therapy, language development, pediatric nursing, and psychiatric services as are necessary for such children; and (C) appropriate services for the parents of such children, including psychiatric services, parent counseling, and training; and

(7) programs under which model training centers shall be established to develop and use more advanced and effective methods of evaluating and developing the employment potential of handicapped persons, including

- training and continuing education for personnel
- model procedures for testing and evaluating

- teaching individual skills for employment
- new approaches to job placement, and
- provide information regarding education, training, employment and job placement.

These areas will greatly expand the scope of rehabilitation research. If these areas can be invisioned as the future direction for vocational rehabilitation, then these provisions can be all the greatest effect on the total program since the 1970's began.

Rehabilitation Training: (45 CFR §1362.70 - §1362.76)

Federal financial participation for training involves three areas:

Long-term training grants or contracts to support training, traineeships and related activities designed to increase personnel trained in rehabilitation services and related functions necessary for services. This training may not exceed 5 years;

Short-term training and instruction in technical matters related to rehabilitation services, including traineeships, with stipends and allowances for travel and subsistence expenses. These projects may not exceed one year; and

Research fellowships may be established and maintained in technical matters related to rehabilitation services.

These awards may be made to any State agencies and public and nonprofit agencies, including such agencies already participating in any of the programs and activities of the vocational rehabilitation program. Any applicant is expected to share substantially in the costs of these projects. In the long-term grants the grantee is required to increase the amount of its share. Indirect or administrative costs for such a grant may not exceed eight percent.

Section 305, Title III of the Rehabilitation Act of 1973, provides funds for a National Center for Deaf-Blind Youths and Adults. This law permits the Secretary of DHEW to enter into an agreement with any public or nonprofit agency for the establishment and operation (including construcion and equipment) of a center for the vocational rehabilitation of deaf-blind individuals. The Helen Keller National Center for Deaf-Blind Youths and Adults is such a center. It is located at 111 Middle Neck Road

Sands Point, Long Island, New York, New York 11050.

The objectives of this national center are:

(1) To identify and locate deaf-blind individuals to develop a national registry which will provide help information in planning services appropriate to the needs and interests of this population;
(2) To provide initial assessment of physical and psychological functioning to determine admission to the Center for comprehensive rehabilitation services or for referral to other agencies with the appropriate services for the individual;
(3) To provide multidisciplinary evaluation to deaf-blind individuals whose rehabilitation feasible;
(4) To provide individualized rehabilitation training, based on the evaluation findings, to achieve as required in each case:
    -- meaningful contact with the environment and effective means of communications;
    -- constructive participation in home and community;
    -- initial or enhanced employment; and
    -- any other development important to the rehabilitation process;
(5) To encourage medical research into the causes of deaf-blindness and methods of reducing or eliminating their cause;
(6) To conduct research into the implications of deaf-blindness for the personal adjustment, education, and rehabilitation of the deaf-blind individual;
(7) To innovate and/or improve approaches and techniques of rehabilitation of the individual;
(8) To design and/or improve sensory aids that will reduce the handicapping effects of deaf-blindness;
(9) To provide training for new and prospective specialists in services for deaf-blind persons;
(10) To provide community education designed to sensitize both the lay and professional to the special needs and normal aspirations of deaf-blind persons;
(11) To conduct studies, including follow-up studies of clients, to evaluate the effectiveness and appropriateness of services offered by the Center;
(12) To encourage and assist public and private agencies to develop services for deaf-blind persons in their communities.

The National Center is operated by the Industrial Home for the Blind. It provides services across the country through referrals and cooperative agreements with other providers. The method of contacting this National Center is through a "service regions network". The listing below includes regional offices and States served.

NORTHEASTERN REGION
111 Middle Neck Road
Sands Point, New York 11050
(516) 944-8900

(TTY (Teletype machine) and voice)

- Connecticut
- Maine
- Massachusetts
- New Hampshire
- New Jersey
- New York
- Puerto Rico
- Rhode Island
- Vermont
- Virgin Islands

EAST CENTRAL REGION
1422 Chestnut Street
Philadelphia, Pennsylvania 19102
(215) 569-1393

(TTY (Teletype machine) and voice)

- Delaware
- District of Columbia
- Maryland
- Ohio
- Pennsylvania
- Virginia
- West Virginia

SOUTHEASTERN REGION
1581 Phoenix Boulevard
Suite 14
Atlanta, Georgia 30349

(TTY (Teletype machine) and voice)

- Alabama
- Florida
- Georgia
- Kentucky
- North Carolina
- South Carolina
- Tennessee

NORTHWESTERN REGION
649 Strander Boulevard
Suite C
Seattle, Washington 98188
(206) 246-2771

NORTH CENTRAL REGION
75 East Wacker Drive
Chicago, Illinois 60601
(312) 726-2090

(TTY (Teletype machine) and voice)

- Illinois
- Indiana
- Iowa
- Michigan
- Minnesota
- Missouri
- Wisconsin

SOUTH CENTRAL REGION
1111 West Mockingbird Lane
Suite 825
Dallas, Texas 75247
(214) 630-4936

(TTY (Teletype machine) and voice)

- Arkansas
- Louisiana
- Mississippi
- New Mexico
- Oklahoma
- Texas

MOUNTAIN-PLAINS REGION
12075 East 45th Avenue
Suite 530
Denver, Colorado 80239
(303) 373-1204

(TTY (Teletype machine) and voice)

- Colorado
- Kansas
- Nebraska
- North Dakota
- South Dakota
- Wyoming

SOUTHWESTERN REGION
102 North Brand Boulevard
Glendale, California 91203
(213) 240-2004

(TTY (Teletype machine) and voice)

Alaska
Idaho
Montana
Oregon
Washington

(TTY (Teletype machine) and voice)

Arizona
California
Guam - Samoa - and the
Trust Territories
Hawaii
Nevada
Utah

Program and Project Evaluation (45 CFR §1362.90)

Section 401 (a)(1) of the Act mandates the Secretary to measure and evaluate the effectiveness of all programs authorized by the Act. Contracts are awarded to any agency or organization which demonstrates the ability to conduct evaluation activities. The regulations contain standards to be used by the grantees in conducting their study. These standards apply to:

(1) Evaluation of programs authorized by the Act; and

(2) Evaluation of project effectiveness in achieving the objectives of the Act.

The specific evaluation standards are contained in 45 CFR §1370.1 - §1370.5. These standards provide the definitions, methodology, objectives of rehabilitation programs and general standards for evaluation.

Technical Assistance (45 CFR §1362.100)

Technical Assistance is also funded through the Rehabilitation Act. These services may be provided directly by RSA or through contract with State vocational rehabilitation agencies or experts or consultants. The purpose of technical assistance is to provide assistance and consultation to:

(1) Public and nonprofit rehabilitation facilities in matters of professional or business practice; and

(2) public and nonprofit agencies, institutions, organizations, or facilities for the purpose of planning or effecting the removal of architectural and transportation barriers, provided this is in concurrence with the Architechtural and Transportation Barrier Compliance Board.

This resource is widely used in conjunction with policy and procedural changes instituted by a State vocational rehabilitation agency. Despite its varied usage, it can not address the myriad of problems faced by all agencies and individuals involved with vocational rehabilitation. Advocates should learn to harness some of the previously mentioned research, demonstrations, and special project funds to work out difficulties.

Conclusion

This section contains a wide variety of resources. The use of these resources can be either on an individual basis or through a coordinated approach. State agencies and advocates should cooperate in decisions to use these funds. Advocates should be cautioned that these resources are in high demand. Competition is hard and the amount of funds never seems to be enough. Advocates should systematically approach the use of these funds by setting priorities. Once priorities are set, then the cooperation of all parties will ensure the successful persuit and use of these resources.

IV CONCLUSION

Vocational education programs have been badly neglected as resources to develop the talents and potentials of individuals with developmental disabilities. The reasons for this are many and wide-spread. In many cases where vocational education services are provided to handicapped students, they are often limited in nature to stereotypical jobs and approaches. While well-organized programs do exist throughout the United States, they are still too few and far between.

Individuals with disabilities and their advocates have no small job before them in breaking down the attitudinal and programmatical barriers facing them in vocational education. The barriers are just starting to slowly crumble, especially with the enactment of the Education for All Handicapped Children Act, Section 504 of the Rehabilitation Act of 1973, and the Vocational Education Act Amendments of 1976. The demand for change is growing as parents and educators call for appropriate vocational education services.

Handicapped youth and their parents and advocates must continue to press for their rights in vocational education. The information presented here should serve as a start in helping them understand the services to which they are entitled and what to do if they are not receiving them or are dissatisfied with the manner in which the programs are run.

The vocational rehabilitation program has been extended and amended with the passage of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978. Throughout this text repeated attention has been focused on this fact. The reader should not underestimate this message because the future of the new program will depend to some extent on the importance placed on this transition period. Advocates should be prepared to comment on the proposed regulations on the law when they are published. By familiarizing himself with the law and its changes, the advocate will be more capable of commenting on the regulations and thereby take a positive role in making the program operate as effectively as possible for the benefit of all handicapped individuals.

This book has provided an introductory understanding of federally-supported state vocational education and vocational rehabilitation programs. Armed with this knowledge and the citations referenced throughout the module, consumers and advocates of individuals with developmental disabilities can explore how these programs operate in their state. By examining the state plans and attending the public meetings held to consider the views and opinions of the public, these groups can learn not only how to use the programs to receive maximum benefits, but also how to affect the planning process and strategy development so that their needs and concerns are adequately addressed.

APPENDICES

State Vocational Education Formula Grants

Basic Grant Awards for FY 1979

Alabama	$8,657,073
Alaska	$ 761,902
Arizona	$4,803,819
Arkansas	$4,751,740
California	$37,531,105
Colorado	$5,336,962
Connecticut	$5,006,794
Delaware	$1,087,757
Florida	$15,670,037
Georgia	$11,257,643
Hawaii	$1,653,347
Idaho	$1,855,479
Illinois	$18,572,682
Indiana	$10,909,702
Iowa	$5,682,758
Kansas	$4,528,397
Kentucky	$7,877,138
Louisiana	$9,308,453
Maine	$2,434,504
Maryland	$7,691,570
Massachusetts	$10,998,255
Michigan	$17,799,605
Minnesota	$8,201,160
Mississippi	$5,687,461
Missouri	$9,964,866
Montana	$1,689,458
Nebraska	$3,182,931
Nevada	$1,054,695
New Hampshire	$1,685,940
New Jersey	$11,587,521
New Mexico	$2,949,449
New York	$29,983,747
North Carolina	$12,558,480
North Dakota	$1,592,850
Ohio	$21,275,502
Oklahoma	$5,910,256
Oregon	$4,580,881
Pennsylvania	$22,366,026
Rhode Island	$1,895,445
South Carolina	$7,041,103
South Dakota	$1,693,072
Tennessee	$9,510,098
Texas	$26,380,523
Utah	$3,042,085
Vermont	$1,164,347
Virginia	$10,566,243
Washington	$6,780,596
West Virginia	$3,957,315
Wisconsin	$9,751,236
Wyoming	$ 880,251
D.C.	$1,241,109
Puerto Rico	$7,393,476

American Samoa	$143,740
Northern Marianas	$143,740
Guam	$237,112
Virgin Islands	$167,544
Trust Territory	$234,986
Total U.S. and outlying areas	$430,671,966

APPENDIX II

State Vocational Rehabilitation Formula Grant Awards

Fiscal Year 1979

Alabama	18,227,204	Missouri	18,198,853
Alaska	2,000,000	Montana	2,906,287
Arizona	8,526,789	Nebraska	5,032,965
Arkansas	10,544,636	Nevada	2,010,385
California	57,426,848	New Hampshire	3,282,747
Colorado	8,295,388	New Jersey	18,376,436
Connecticut	7,065,925	New Mexico	5,686,604
Delaware	2,009,694	New York	48,041,373
District of Columbia	5,464,458	North Carolina	24,632,521
Florida	29,138,424	North Dakota	2,485,382
Georgia	21,278,541	Ohio	35,640,630
Hawaii	2,326,627	Oklahoma	11,608,998
Idaho	3,367,855	Oregon	8,165,403
Illinois	27,499,339	Pennsylvania	40,219,361
Indiana	17,066,756	Rhode Island	3,264,733
Iowa	9,098,941	South Carolina	14,000,643
Kansas	7,249,761	South Dakota	2,819,153
Kentucky	16,028,208	Tennessee	19,394,873
Louisiana	18,198,326	Texas	47,076,660
Maine	4,967,235	Utah	5,597,277
Maryland	11,534,428	Vermont	2,138,510
Massachusetts	18,337,608	Virginia	17,619,126
Michigan	27,070,324	Washington	11,079,348
Minnesota	13,394,751	West Virginia	8,596,798
Mississippi	13,494,753	Wisconsin	16,900,978

Wyoming	2,000,000
U.S. Territories	
Guam	737,783
Puerto Rico	21,771,966
Trust Territory	818,636
Virgin Islands	542,552

APPENDIX III

STATE DIRECTORS OF VOCATIONAL EDUCATION

Alabama

Mr. T. L. Faulkner, State Director
Vocational Education
State Department of Education
887 State Office Building
Montgomery 36130
205 832-3364

Alaska

Mr. Glenn Erickson, Director
Vocational Education
State Department of Education
Alaska Office Building
Pouch F
Juneau 99811
907 465-2985

Arizona

Mr. William J. Anderson
Associate Superintendent
for Career Education and
Director Vocational Education
1535 West Jefferson
Phoenix 85007
602 271-5343

Arkansas

Mr. Luther S. Hardin, Associate Director
for Vocational, Technical and
Adult Education
State Department of Education
State Education Building
Little Rock 72201
501 371-2165

California

Mr. Samuel L. Barrett
Assistant Superintendent for
Secondary Education and Director
of Vocational Education
State Department of Education
721 Capitol Mall - 4th Floor
Sacramento 95814
916 445-3314

Colorado

Dr. William D. Woolf, Director
Occupational Education
State Department of Education
207 State Services Building
1525 Sherman Street
Denver 80203
303 839-3071

Connecticut

Dr. Clarence M. Green, Associate
Commissioner, Division of
Vocational Education
State Department of Education
PO Box 2219
Hartford 06115
203 556-7546

Delaware

Mr. Donald E. Dunkle, State Director
of Vocational Education, State
Department of Public Instruction
J. G. Townsend Building
PO Box 1402
Dover 19901
302 678-4638

Washington, DC

Dr. Otho E. Jones
Division of Career Development
Programs, Presidential Building
415 - 12th St., NW, Room 904
Washington, DC 20004
202 724-4178

Florida

Mr. Joe D. Mills, State Director
Division of Vocational, Technical
and Adult Education
State Department of Education
Knott Building
Tallahassee 32304
904 488-8961

Georgia

Dr. Joseph Freund
Assistant Superintendent
Adult and Vocational Education
State Department of Education
312 State Office Building
Atlanta 30334
404 656-6711

Guam

Mr. Peter R. Nelson, State Director
Division of Careers and Occupations
State Department of Education
PO Box DE
Agana 96910
734-2158

Hawaii

Dr. Samson S. Shigetomi, State Director
Vocational Education
University of Hawaii (101 Bachman Hall)
2444 Dole Street
Honolulu 96822
808 948-7461

Idaho

Mr. Larry G. Selland, State Director
Vocational Education
State Board for Vocational Education
650 West State Street
Boise 83720
208 384-3216

Illinois

Mr. James R. Galloway, Director
Vocational Education
State Department of Education
100 North First Street
Springfield 62777
217 782-4870

Indiana

Mr. Don K. Gentry, State Director
Vocational Education
401 Illinois Building
17 West Market Street
Indianapolis 46204
317 633-7673

Iowa

Mr. William O. Schuermann
Director of Career Education
Iowa Department of Public Instruction
Grimes State Office Building
Des Moines 50319
515 281-4700

Kansas

Mr. Dean M. Prochaska
Director of Vocational Education
State Department of Education
State Office Building
120 East Tenth
Topeka 66612
913 296-3951

Kentucky

Mr. Billy Ray Howard
State Director of Vocational Education
State Department of Education
2011 Capital Plaza Tower
Frankfort 40601
502 564-4286

Louisiana

Mr. N. J. Stafford, Jr.
Director Vocational Education
State Department of Education
Capitol Station - Box 44064
Baton Rouge 70804
504 389-2981

Maine

Mr. Elwood A. Padham
Associate Commissioner
Bureau of Vocational Education
Department of Education and
Cultural Services
Education Building
Augusta 04333
207 289-2621

Maryland

Dr. Daniel B. Dunham, State Director
Division of Vocational-Technical
Education
State Department of Education
PO Box 8717
BWI Airport, Baltimore 21240
301 796-8300 X400

Massachusetts

Dr. David F. Cronin, Associate
Commissioner for Occupational
Education
State Department of Education
31 St. James Avenue
Boston 02116
617 727-5740

Michigan

Dr. Addison S. Hobbs, State Director
Vocational Education and Career
Development Services
State Department of Education
PO Box 30009
Lansing 48709
517 373-3373

Minnesota

Mr. Robert P. Van Tries
Assistant Commissioner
State Department of Education
564 Capital Square Building
550 Cedar Street
St. Paul 55101
612 296-3994

Mississippi

Dr. Joseph W. Lewis
Vocational-Technical Education
State Department of Education
PO Box 771
Jackson 39205
601 354-6980

Missouri

Mr. B. W. Robinson, Asst. Commissioner
Career and Adult Education
State Department of Education
Jefferson City 65101
314 751-2660

Montana

Larry C. Key Director
Vocational Skills
Office of the Superintendent of
Public Instruction
State Department of Education
State Capitol
Helena 59601
406 449-3126

Nebraska

Mr. Glen H. Strain, Assistant
Commissioner for Vocational Education
State Department of Education
301 Centennial Mall South
PO Box 94987
Lincoln 68508
402 471-2435

Nevada

Mr. R. Courtney Riley, State Director
Vocational Education
State Department of Education
400 West King Street
Carson City 89701
702 885-5700 X255

New Hampshire

Dr. Duane I. Pierce
Chief Vocational-Technical Education
State Department of Education
105 Louden Road
Concord 03301
603 271-2721

New Jersey

Mr. William Wenzel, Assistant
Commissioner of Education
State Department of Education
225 West State Street
Trenton 08625
609 292-6340

New Mexico

Ms. Wilma Ludwig, State Director
of Vocational Education
State Department of Education
Education Building
Santa Fe 87503
505 827-3150

New York

Mr. Gerald L. Freeborne
Assistant Commissioner
for Occupational and Continuing
Education
State Department of Education
99 Washington Avenue
Albany 12230
518 474-3981

North Carolina

Dr. Charles J. Law , Jr., Director
Division of Occupational Education
Department of Public Instruction
544 Education Building
Raleigh 27611
919 733-7362

North Dakota

Mr. Carrol E. Burchinal, State
Director, Vocational Education
State Board of Vocational Education
State Office Building
900 East Boulevard Avenue
Bismarck 58505
701 224-2259

Ohio

Dr. Byrl R. Shoemaker, State Director
Vocational Education
Ohio Department of Education
907 Ohio Departments Building
65 South Front Street
Columbus 43215
614 466-3430

Oklahoma

Dr. Francis T. Tuttle, State Director
Vocational Education
1515 West Sixth Avenue
Stillwater 74074
405 377-2000

Oregon

Mr. Monty Multanen, State Director
Vocational Education
State Department of Education
942 Lancaster Drive NE
Salem 97310
503 378-3584

Pennsylvania

Dr. John W. Struck, State Director
Vocational Education
State Department of Education
PO Box 911
Harrisburg 17126
717 787-5530

Puerto Rico

Mr. Luis Rafael Ortiz, Assistant
Secretary Vocational-Technical
Education
State Department of Education
Box 759
Hato Rey 00919
809 753-9128

Rhode Island

Dr. Frank M. Santoro, Deputy Assistant
Commissioner for Vocational Education
State Department of Education
Roger Williams Building
22 Hayes Street, Room 222B
Providence 02908
401 277-2691

South Carolina

Mr. L. L. Lewis, State Director
Vocational Education
State Department of Education
908 Rutledge Office Building
Columbia 29201
803 758-3101

South Dakota

Mr. David S. Bonde, State Director
Division of Vocational-Technical
Education
State Department of Education
Office Building #3
Pierre 57501
605 224-3423

Tennessee

Mr. John T. Leeman, Assistant
Commissioner, Vocational Education
State Department of Education
200 Cordell Hull Building
Nashville 37219
615 741-1716

Texas

Mr. Cadar Parr, Associate Commissioner
for Occupational Education and
Technology
Texas Education Agency
201 East 11th Street
Austin 78701
512 475-2585

Utah

Mr. Walter E. Ulrich, State Director
Vocational Education
State Board for Vocational Education
250 East 500 South
Salt Lake City 84111
801 533-5371

Vermont

Mr. Arthur W. Ericson, State Director
Vocational Education Division
State Department of Education
State Office Building
Montpelier 05602
802 828-3101

Virgin Islands

Mr. Wilburn Smith, Jr., State Director
Vocational Education, State Department
of Education
PO Box 630, Charlotte Amalie
St. Thomas 00801
809 744-5240

Virginia

Dr. Melvin H. Garner, Director
Division of Vocational Education
State Department of Education
PO Box 6Q
Richmond 23116
804 786-2657

Washington

Mr. Homer J. Halverson, State Director
Commission for Vocational Education
Building #17
Airdustrial Park
Olympia 98504
206 753-5660

West Virginia

Mr. Clarence Burdette, Assistant
Superintendent, Bureau of
Vocational, Technical and Adult
Education
State Department of Education
Building Six, Room B 221
1900 Washington Street, East
Charleston 25305
304 348-2346

Wisconsin

Mr. Eugene Lehrmann, State Director
Vocational Education
Board for Vocational, Technical and
Adult Education
4802 Sheboygan Avenue
Madison 53702
608 266-1770

Wyoming

Mr. Richard W. Rowles
State Director
Occupational Education
State Department of Education
Hathaway Building
Cheyenne 82002
307 777-7411

Samoa

Dr. Tel'a V. Faleali'i
State Director of Vocational Education
State Department of Education
PO Box 2609
Pago Pago 96799
633 5237

Trust Territory of the Pacific Islands
Mr. Loren Peterson
Director, Vocational and
Higher Education
Department of Education
Box 214 CHRB
Saipan, Mariana Islands 96950
Saipan 9319

Executive Director of NASDVE

Mr. James L. Reid
c/o American Vocational Association
1510 H Street NW
Washington DC 20005
202 737-3722

Home:
6610 Rannoch Drive
Catonsville, MD 21228
301 747-8342

APPENDIX IV

State Vocational Rehabilitation Agencies and State Agencies for the Blind

These agencies are listed by States arranged in alphabetical order. Not all States list a separate agency for the blind. In cases where a separate agency is not listed, the administration of programs for the blind is under the authority of the State vocational rehabilitation agency. As these addresses and phone number are changed frequently, readers are advised to refer to local telephone directories should difficulties arise.

ALABAMA

Division of Rehabilitation
Department of Education
2129 East South Boulevard
P.O. Box 11586
Montgomery 36111
205/281-8780

ALASKA

Office of Vocational Rehabilitation
Department of Education
Pouch F, Mail Stop 0581
State Office Building
Juneau 99811
907/586-3270

ARIZONA

Rehabilitation Services Bureau
Department of Economic Security
1400 W. Washington
Phoenix 85007
602/271-3332

Section of Rehabilitation for the
Blind and Visually Impaired
Rehabilitation Services Bureau
Department of Economic Security
1640 N. Grand Avenue
Phoenix 85004
602/271-5853

ARKANSAS

Rehabilitation Services Division
Department of Human Services
1401 Brookwood Drive
P.O. Box 3781
Little Rock 72203
501/371-2571

CALIFORNIA

Department of Rehabilitation, Health
and Welfare Agency
Director's Office
830 K Street Mall - Rm. 322
Sacramento 95814
916/445-3971

COLORADO

Division of Rehabilitation
Department of Social Services
1574 Sherman Street - Rm. 524
Denver 80203
303/839-2652

CONNECTICUT

Division of Vocational Rehabilitation
State Board of Education
600 Asylum Avenue
Hartford 06105
203/566-3316

Board of Education and Services for
the Blind
170 Ridge Road
Wetherfield 06109
203/249-8525

DELAWARE

Vocational Rehabilitation Services
Department of Labor
1500 Shallcross Avenue
P.O. Box 1190
Wilmington 19899
302/571-2851

Bureau for the Visually Impaired
Department of Health & Social Services
Division of Social Services
305 W. 8th Street
Wilmington 19801
302/571-3333

DISTRICT OF COLUMBIA

Bureau of Rehabilitation Services
Social and Rehabilitation Administration
Department of Human Resources
122 C Street, N.W. - Rm. 812
Washington 20001
202/727-3227

FLORIDA

Office of Vocational Rehabilitation
Department of Health and Rehabilitative Services
1309 Winewood Boulevard
Tallahassee 32301
904/488-6210

Office of Blind Services
Department of Education
2751 Executive Center Circle East
Tallahassee 32301
904/488-1330

GEORGIA

Division of Vocational Rehabilitation
Department of Human Resources
610 State Office Building
47 Trinity Avenue, S.W.
Atlanta 30334
404/656-2621

GUAM

Division of Vocational Rehabilitation
Board of Control for Vocational Rehabilitation
Department of Education
P.O. Box 3009
Agana 96910
472-8806

HAWAII

Division of Vocational Rehabilitation and Services for the Blind
Department of Social Services
P.O. Box 339
Honolulu 96809
808/548-6367

IDAHO

Vocational Rehabilitation Services
State Board of Vocational Education
1501 McKinney Street
Boise 83704
208/384-3391

Idaho Commission for the Blind
State House
Boise 83720
208/384-3220

ILLINOIS

Division of Vocational Rehabilitation
State Board of Vocational Education and Rehabilitation
623 East Adams Street
P.O. Box 1587
Springfield 62706
217/782-2093
312/793-2920 (Chicago Office)

INDIANA

Rehabilitation Services Board
1028 Illinois Building
17 West Market Street
Indianapolis 46204
317/633-5687

IOWA

Division of Rehabilitation Education
and Services
Department of Public Instruction
507 10th Street
Des Moines 50309
515/281-4311

Commission for the Blind
4th and Keosauqua Way
Des Moines 50309
515/283-2601

KANSAS

Division of Vocational Rehabilitation
Department of Social and Rehabilitation
Services
State Office Building - 5th Floor
Topeka 66612
913/296-3911

Division of Services for the Blind and
Visually Handicapped
Department of Social and Rehabilitation
Services
Biddle Building - 1st Floor
2700 West 6th Street
Topeka 66606
913/296-4454

KENTUCKY

Bureau of Rehabilitation Services
Department of Education
Capital Plaza Office Tower
Frankfort 40601
502/564-4440

Bureau for the Blind
Education and Arts Cabinet
State Office Building Annex
High Street
Frankfort 40601
502/531-4754

LOUISANA

Office of Rehabilitation Services
Department of Health and Human Services
1755 Florida Boulevard
P.O. Box 44371
Baton Rouge 70804
504/389-2876

MAINE

Bureau of Rehabilitation Services
Department of Human Services
32 Winthrop Street
Augusta 04330
207/289-2266

MARYLAND

Division of Vocational Rehabilitation
State Department of Education
P.O. Box 8717
Baltimore 21240
301/796-8300

MASSACHUSETTS

Massachusetts Rehabilitation Commission
296 Boylston Street
Boston 02116
617/727-2172

Commission for the Blind
110 Tremont Street - 6th Floor
Boston 02108
617/727-5580

MICHIGAN

Vocational Rehabilitation Services
State Department of Education
P.O. Box 30010
Lansing 48909
517/373-3390

MICHIGAN (Continued)

Bureau of Blind Services
Department of Social Services
Commerce Center Building
300 South Capital Avenue
Lansing 48926
517/373-2062

MINNESOTA

Division of Vocational Rehabilitation
Department of Economic Security
390 North Robert
St. Paul 55104
612/296-1882

State Services for the Blind and
Visually Handicapped
Department of Public Welfare
1745 University Avenue
St. Paul 55104
612/296-6034

MISSISSIPPI

Division of Vocational Rehabilitation
Department of Education
1304 Walter Sillers State Office Bldg.
P.O. Box 1698
Jackson 39205
601/354-6825

Vocational Rehabilitation for the Blind
Department of Public Welfare
P.O. Box 4872
Jackson 39216
601/354-6411

MISSOURI

Division of Vocational Rehabilitation
Department of Elementary and Secondary
Education
3523 North Ten Mile Drive
Jefferson City 65101
314/751-3251

MISSOURI (Continued)

Services for the Blind
Division of Family Services
Department of Social Services
Broadway State Office Building
Jefferson City 65101
314/751-4249

MONTANA

Rehabilitation Services Division
Department of Social and Rehabilitation
Services
P.O. Box 4210
Helena 59601
406/449-2590

Visual Services Division
Department of Social and Rehabilitation
Services
P.O. Box 4210
Helena 59601
406/449-3434

NEBRASKA

Division of Rehabilitation Services
Department of Education
301 Centennial Mall, South
P.O. Box 94987
Lincoln 68509
402/471-2961

Division of Rehabilitation Services
for the Visually Impaired
Department of Public Instructions
1047 South Street
Lincoln 68502
402/471-2891

NEVADA

Rehabilitation Division
Department of Human Resources
Kinkead Building - 5th Floor
State Capital Complex
505 East King Street
Carson City 89710
702/885-4440

NEW HAMPSHIRE

Vocational Rehabilitation Division
State Board of Education
105 Loudon Road - Bldg. #3
Concord 03301
603/271-3121

NEW JERSEY

Division of Vocational Rehabilitation
Department of Labor and Industry
1005 Labor and Industry Building
John Fitch Plaza
P.O. Box 2098
Trenton 08625
609/292-7880

Commission for the Blind
State Board of Control
Department of Institutions and Agencies
Newark Center Building
110 Raymond Boulevard
Newark 07102
201/648-2324

NEW MEXICO

Division of Vocational Rehabilitation
Department of Education
231 Washington Avenue
P.O. Box 1830
Santa Fe 87501
505/827-2266

NEW YORK

Office of Vocational Rehabilitation
State Education Department
99 Washington Avenue
Albany 12210
518/474-2712

Commission for the Blind and Visually Handicapped
Department of Social Services
Ten Eyck Office Building
40 North Pearl Street
Albany 12243
518/474-6739

NORTH CAROLINA

Division of Vocational Rehabilitation Services
Department of Human Resources
620 North West Street
P.O. Box 26053
Raleigh 27611
919/733-3364

Division of Services for the Blind
Department of Human Resources
410 N. Boylan Avenue
P.O. Box 2658
Raleigh 27602
919/733-4231

NORTH DAKOTA

Department of Vocational Rehabilitation
State Board of Social Services
1025 North Third Street
P.O. Box 1037
Bismarck 58505
701/224-2907

OHIO

Rehabilitation Services Commission
4656 Heaton Road
Columbus 43229
614/466-5157

OKLAHOMA

Rehabilitative and Visual Services
Public Welfare Commission
Department of Institutions, Social and Rehabilitative Services
Sequoyah Memorial Office Building
P.O. Box 25352
Oklahoma 73125
405/521-3374

OREGON

Vocational Rehabilitation Division
Department of Human Resources
2045 Silverton Road, N.E.
Salem 97310
503/378-3850

OREGON (Continued)

State Commission for the Blind
535 S.E. 12th Avenue
Portland 97214
503/238-8380

PENNSYLVANIA

Bureau of Vocational Rehabilitation
Department of Labor and Industry
Labor and Industry Bldg. - Rm. 1300
7th and Forster Streets
Harrisburg 17120
717/787-5244

Office for the Visually Handicapped
Department of Public Welfare
300 Capital Associates Building
901 North 7th Street
P.O. Box 2675
Harrisburg 17120
717/787-6176

PUERTO RICO

Division de Rehabilitacion Vacacional
Departamento de Servicios Sociales
Apartado 1118
Hato Rey 00919
809/725-1792

RHODE ISLAND

Division of Vocational Rehabilitation
Social and Rehabilitative Services
40 Foundain Street
Providence 02903
401/421-7005

Services for the Blind
Social and Rehabilitative Services
46 Aborn Street
Providence 02903
401/277-2300

SOUTH CAROLINA

Vocational Rehabilitation Department
301 Landmark Center
3600 Forest Drive
P.O. Box 4945
Columbia 29240
803/758-3237

Commission for the Blind
1430 Confederate Avenue
Columbia 29201
803/758-2595

SOUTH DAKOTA

Department of Vocational Rehabilitation
State Office Building
Illinois Avenue
Pierce 57501
605/224-3195

TENNESSEE

Division of Vocational Rehabilitation
Department of Education
1808 West End Building - Rm. 1400
Nashville 37203
615/741-2521

Services for the Blind
Department of Human Services
410 State Office Building
Nashville 37219
615/741-3163

TEXAS

Texas Rehabilitation Commission
118 East Riverside Drive
Austin 70804
512/397-3100

State Commission for the Blind
Stokes Building
314 West 11th Street
P.O. Box 12866
Austin 78711
512/475-6810

TRUST TERRITORY OF THE PACIFIC ISLANDS

Vocational Rehabilitation Services
Office of the High Commissions
Trust Territory of the Pacific Islands
Saipan, Mariana Islands 96950
Cable Address: HICOTT SAIPAN

UTAH

Division of Rehabilitation Services
State Board of Education
250 East Fifth South
Salt Lake City 84111
801/533-5991

Services for the Visually Handicapped
309 East First South
Salt Lake City 84111
801/533-9393

VERMONT

Vocational Rehabilitation Division
Department of Social and Rehabilitative Services
Agency of Human Services
State Administration Building
Montpelier 05602
802/244-5181

Division of Services of the Blind and Visually Handicapped
Department of Social and Rehabilitative Services
Agency of Human Services
State Administration Building
Montpelier 05602

VIRGIN ISLAND

Division of Vocational Rehabilitation
Department of Social Welfare
P.O. Box 539
Charlotte Amalie
St. Thomas 00801
809/774-2835

VIRGINIA

Department of Vocational Rehabilitation
State Board of Vocational Rehabilitation
4901 Fitzburgh Avenue
P.O. Box 11045
Richmond 23230
804/786-2091

Virginia Commission for the Visually Handicapped
3003 Parkwood Avenue
P.O. Box 7388
Richmond 23221
804-786-2181

WASHINGTON

Division of Vocational Rehabilitation
Department of Social And Health Services
State Office Bldg. #2 (OB-31C)
Olympia 98504
206/753-2544

State Commission for the Blind
3411 South Alaska Street
Seattle 98118
206/464-6690

WEST VIRGINIA

Division of Vocational Rehabilitation
State Board of Vocational Education
State Capitol
Charleston 25311
304/348-2375

WISCONSIN

Division of Vocational Rehabilitation
Department of Health and Social Services
State Office Building
1 West Wilson Street - Rm. 685
Madison 53702
608/266-5466

WYOMING

Division of Vocational Rehabilitation
Department of Health and Social Services
Hathaway State Office Bldg. - Rm. 327
Cheyenne 82002
307/777-7389

APPENDIX V

Services Definition for Vocational Rehabilitation

1. Construction of a rehabilitation facility means:
   (a) The construction of new buildings, the acquisition of existing buildings, or the expansion, remodeling, alteration or renovation of existing buildings which are to be utilized for rehabilitation facility purposes; or
   (b) The acquistion of initial equipment of such new, newly acquired, newly expanded, newly remodeled, newly altered, or newly renovated building.

2. Criminal Act means: any crime, including an act, omission, or possession under the laws of the United States or a State or unit of general local government which poses a substantial threat of personal injury, notwithstanding that by reason of age, insanity, intoxication, or otherwise, the person engaging in the act, omission or possession was legally incapable of committing a crime.

3. Eligible or eligibility when used in relation to an individual's qualification for vocational rehabilitation services, refers to a certification that:
   (a) The individual has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and
   (b) Vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability.

4. Employability refers to a determination that the provision of vocational rehabilitation services is likely to enable an individual to enter or retain employment consistnet with his capacities and abilities in the competitive labor market; the practice of a profession; self-employment; homemaking; farm or family work (including work for which payment is in kind rather than in cash); sheltered employment; or other gainful work.

5. Establishment of a rehabilitation facility means:
   (a) The acquisition, expansion, remodeling, or alteration of existing buildings, necessary to adapt them to rehabilitation facility purposes or to increase their effectiveness for rehabilitation facility purposes;
   (b) The acquistion of initial equipment for such buildings for such purposes; or
   (c) The initial staffing of a rehabilitation facility, for a period not to exceed 4 years and 3 months.

6. Evaluation of rehabilitation potential means, as appropriate, in each case:
   (a) A preliminary diagnostic study to determine: (i) That an individual has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment, and (ii) That vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability, and that the individual is eligible therefore for vocational rehabilitation services;
   (b) A thorough diagnostic study consisting of a comprehensive evalua-

tion of pertinent factors, which bear on the individual's handicap to employment and rehabilitation potential, and an appraisal of the individual's work behavior and ability to develop work patterns suitable for successful job performance in order to determine which vocational rehabilitation services may be of benefit to the individual in terms of employability;

(c) Any other goods or services provided for the purpose of ascertaining the nature of the handicap and whether it may reasonably be expected that the individual can benefit from vocational rehabilitation services in terms of employability;

(d) Referral;

(e) The provision of vocational rehabilitation services to an individual for a total period of 18 months for the purpose of determining whether such individual is a handicapped individual for whom a vocational goal is feasible, including the initiation and continuing development of an individualized written rehabilitation program, and a periodic assessment of the results of the provision of such services to ascertian whether an individual is an eligible individual for whom a vocational goal is feasible.

7. Family member or member of the family means any relative by blood or marriage of a handicapped individual and other individuals living in the same household with whom the handicapped individual has a close interpersonal relationship.

8. Handicapped individual, except as provided in the second paragraph of this section, means an individual:
   (a) Who has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and
   (b) Who can reasonably be expected to benefit in terms of employability from the provision of vocational rehabilitation services, or for whom an extended evaluation of rehabilitation potential is necessary for the purpose of determining whether he might reasonably be expected to benefit in terms of employability from the provision of vocational rehabilitation services.

   Handicapped individual for purposes of §1361.15(c), §1361.49(e), §1361.49(f), §1361.50(g), §1361.50(h), §1361.25, §1361.26, and §1361.29, means an individual:
   (a) Who has a physical or mental impairment which substantially limits one or more of his major life activities;
   (b) Who has a record of such an impairment; or
   (c) Who is regarded as having such an impairment.

9. Local agency, except where the context indicates otherwise, means an agency of a unit of general local government or of an Indican tribal organization (or combination of such units or organizations) which has the sole responsibility under an agreement with the State agency to conduct a vocational rehabilitation program in the locality under the supervision of such State agency in accordance with the State plan.

10. Maintenance means payments, not exceeding the estimated cost of subsistence and provided at any time from the date of initiation of vocational rehabilitation services through the provision of post-employment services, to cover a handicapped individual's basic living expenses, such as food, shelter, clothing, and other subsistence expenses necessary to derive the full benefit of other vocational rehabilitation services

being provided in order to ahcieve such individual's vocational rehabilitation potential.

11. Management services and supervision for small business enterprises includes inspection, quality control, consultation, accounting, regulating, inservice training, and other related services provided on a systematic basis to support and improve small business enterprises operated by severely handicapped individuals. Management services and supervision does not include thsoe services or costs which pertain to the ongoing operation of the individual business enterprise after the intial establishment period.

12. Nonprofit, as applied to a rehabilitation facility, agency or organization, means a rehabilitation facility, agency, or organization owned and operated by one or more nonprofit corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual and the income of which is exempt from taxation under section 501(c) of the Internal Revenue Code of 1954.

13. Occupational license means any license, permit, or other written authority required by a State, city or other governmental unit to be obtained in order to enter an occupation or enter a small business.

14. Outcome and service goals means those objectives, established by the State agency and consistent with those set by the Commissioner in his instructions with respect to the annual State plan, which are measurable in terms of service expansion or program improvement in specified program areas, and which the State agnecy plan to achieve during a specified period of time.

15. Physical and mental restoration services means those services which are necessary to correct or substantially modify within a reasonable period of time a physical or mental condition which is stable or slowly progressive, and includes:
    (a) Medical or corrective surgical treatment;
    (b) Diagnosis and treatment for mental or emotional disorders by a physician skilled in the diagnosis and treatment of such disorders or by a psychologist licensed or certified in accordance with State laws and regulations;
    (c) Dentistry;
    (d) Nursing services;
    (e) Necessary hospitalization (either inpatient or outpatient care) in connection with surgery or treatment and clinic services;
    (f) Convalescent or nursing home care;
    (g) Drugs and supplies;
    (h) Prosthetic, orthotic, or other assistive devices essential to obtaining or retaining employment;
    (i) Podiatry;
    (j) Physical therapy;
    (k) Occupational therapy;
    (l) Speech or hearing therapy;
    (m) Psychological services;
    (n) Medical or medically related social work services;
    (o) Treatment of either acute or chronic medical complications and emergencies which are associated with or arise out of the provision of physical and mental restoration services; or are in-

herent in the condition under treatment;
- (p) Special services for the treatment of individuals suffering from end-stage renal disease, including transplantation, dialysis, artificial kidneys, and supplies; and
- (q) Other medical or medically related rehabilitation services. (The provision that the condition is stable or slowly proegressive does not apply when physical and metnal restoration services are provided under an extended evaluation of rehabilitation potential).

16. Physical or mental disability means a physical or mental condition which materially limits, contributes to limiting or. if not corrected, will probably result in limiting an individual's activities or functioning.

17. Public safety officer means a person serving the United States or a State or unit of general local government, with or without compensation, in any activity pertaining to:
    - (a) The enforcement of the criminal laws, including highway patrol, or the maintenance of civil peace by the National Guard or the Armed Forces;
    - (b) A correctional program, facility, or institution where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees;
    - (c) A court having criminal or juvenile delinquent jurisdiction where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, parolees;
    - (d) Firefighting, fire prevention, or emergency rescue mission.

18. Rehabilitation facility means a facility which is operated for the primary purpose of providing vocational rehabilitation services to handicapped individuals, and which provides singly or in combination one or more of the following services for handicapped individuals:
    - (a) Vocational rehabilitation services which shall include under one management, medical, psychological, social, and vocational services;
    - (b) Testing, fitting, or training in the use of prosthetic and orthotic devices;
    - (c) Prevocational conditioning or recreational therapy;
    - (d) Physical and occuptional therapy;
    - (e) Speech and hearing therapy;
    - (f) Psychological and social serivces;
    - (g) Evaluation of rehabilitation potential;
    - (h) Personal and work adjustment;
    - (i) Vocational training with a view toward career advancement (in combination with other rehabilitation services);
    - (j) Evaluation or control of specific disabilities;
    - (k) Orientation and mobility services and other adjustment services to the blind; and
    - (l) Transitional or extended employment for those handicapped individuals who cannot be readily absorbed in the competitive labor market: Provided, That all medical and related health services must be prescribed by, or under the formal supervision of, persons licensed to prescribe or supervise the provision of such services in the State.

19. Severely handicapped individual means a handicapped individual,

(a) Who has a severe physical or mental disability which seriously limits his functional capacities (mobility, communication, self-care, self-direction, work tolerance, or work skills) in terms of employability; and

(b) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time, and

(c) Who has one or more physical or mental disabilities resulting from amputation, arthritis, blindness, cancer, cerebral palsy, cystic fibrosis, deafness, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia, and other spinal cord conditions, sickle cell anemia, and end-stage renal disease, or another disability or combination of disabilities determined on the basis of an evaluation of rehabilitation potential to cause comparable substantial functional limitation.

20. Small business enterprise means a small business operated by severely handicapped individuals under the management and supervision of the State agency or its nominee. Such businesses include only those selling, manufacturing, processing, servicing, agricultural, and other activities which are suitable and practical for the most effective utilitzation of the skills and aptitudes of severely handicapped individuals, and provide gainful employment or self-employment commensurate with the time devoted by the operator or operators to the business, the cost of establishing the business, and other factors of an economic nature.

21. State means the several States, the District of Columbia, the Virgin Islands, Puerto Rico, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

22. State agency or State vocational rehabilitation agency means the sole State agency designated to administer (or supervise local administration of) the State plan for vocational rehabilitation services. The term includes the State agency for the blind, if designated as the sole State agency with respect to that part of the plan relating to the vocational rehabilitation of the blind. For purposes of American Samoa, the term means the Governor of American Samoa and for purposes of the Trust Territory of the Pacific Islands, the term means the High Commissioner of the Trust Territory of the Pacific Islands.

23. State plan means the annual State plan for vocational rehabilitation services, or the vocational rehabilitation services part of a consolidated rehabilitation plan, which includes the annual State plan for vocational rehabilitation services and the State's plan for its program for persons with developmental disabilities developed under the Developmental Disabilities Services and Facilities Construction Act.

24. Substantial handicap to employment means that a physical or mental disability (in light of attendant medical, psychological, vocational, educational, and other related factors) impedes an individual's occupational performance, by preventing his obtaining, retaining, or preparing for employment consistent with his capacities and abilities.

25. Transportation means necessary travel and related expenses including subsistence during travel (or per diem payments in lieu of subsistence) in connection with transporting handicapped individuals and their attendants or escorts for the purpose of providing vocational rehabilitation services under the State plan and may include relocation and moving expenses necessary for the achievement of a vocational rehabilitation objective.

26. Visual services means visual training, and the examination and services necessary for the prescription and provision of eyeglasses, contact lenses, microscopic lenses, telescopic lenses, and other special visual aids, as prescribed by a physician skilled in dieseases of the eye or by an optometrist, whichever the individual may select.

27. (1) Vocational rehabilitation services, when provided to an individual means:
   - (a) Evaluation of rehabilitation potential, including diagnostic and related services, incidental to the determination of eligibility for, and the nature and scope of, services to be provided;
   - (b) Counseling, guidance, and referral services;
   - (c) Physical and mental restoration services;
   - (d) Vocational and other training services, including personal and vocational adjustment, books, tools, and other materials;
   - (e) Maintenance;
   - (f) Transportation;
   - (g) Services to members of a handicapped individual's family when such services are necessary to the adjustment or rehabilitation of the handicapped individual;
   - (h) Interpreter services for the deaf;
   - (i) Reader services, rehabilitation teaching services, and orientation and mobility services for the blind;
   - (j) Telecommunications, sensory, and other technological aids and devices;
   - (k) Recruitment and training services for handicapped individuals to provide them with new employment opportunities in the fields of rehabilitation, health, welfare, public safety,
   - (l) Placement in suitable employment;
   - (m) Post-employment services necessary to assist handicapped individuals to maintain suitable employeemnt;
   - (n) Occupational licenses, tools, equipment, and initial stocks and supplies; and
   - (o) Such other goods and services which can reasonably be expected to benefit a handicapped individual in terms of his employability.

   (2) Vocational rehabilitation services when provided for the benefit of groups of individuals, also includes;
   - (a) In the case of any type of small business enterprise operated by individuals with the most severe handicaps under the supervision of the State agency, management services, and supervision and acquisition of vending facilities or other equipment and initial stocks and supplies;
   - (b) The establishment of rehabilitation facilities;
   - (c) The construction of a rehabilitation facility;

(d) The provision of other facilities and services which promise to contribute substantially to the rehabilitation of a group of individuals but which are not related directly to the individualized program of any one handicapped individual.

28. Workshop means a rehabilitation facility, or that part of a rehabilitation facility, engaged in a production or service operation and which is operated for the primary purpose of providing gainful employment or professional services to the handicapped as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market or during such time as employment opportunities for them in the competitive labor market do not exist.

APPENDIX VI

RESEARCH AND TRAINING CENTERS

Medical Rehabilitation Centers:

Baylor College of Medicine
Medical Rehabilitation Research and
Training Centers
1333 Moursund Ave.
Houston, TX 77030
(713) 797-1440 Ext.228

Emory University
School of Medicine
Center for Rehabilitation Medicine
1431 Clifton Rd.
Atlanta, GA 30322
(404) 329-5583

George Washington University
Medical Rehabilitation Research and
Training Center
Ross Hall, Rm 714
2300 Eye St., NW
Washington, DC 20037
(202) 676-3801

New York University
Medical Rehabilitation Research and
Training Center
400 East 34th St.
New York, NY 10016
(212) 679- 3200

Northwestern University
Rehabilitation Institute of Chicago
345 East Superior St.
Chicago, IL 60611
(312) 649-6019

Temple University
Suite 201
12th and Tabor Rd.
Philadelphia, PA 19141
(215) 329-9580 Ext.61

Tufts University
Medical Rehabilitation Research and
Training Center
171 Harrison Ave.
Boston, MA 02111
(617) 956-5622

University of Alabama
Medical Rehabilitation Research and
Training Center
1717 Sixth Ave., South
Birmingham,AL 35233
(205) 934-3450

University of Colorado Medical
Center
4200 E. Ninth Ave., Box C242
Denver, CO 80262
(303) 394- 7267

University of Minnesota
Medical Rehabilitation Research and
Training Center
860 Mayo Bldg.
Minneapolis,MN 55455
(612) 373-8990

University of Washington
Medical Rehabilitation Research and
Training Center
cc814 RJ-30
Seattle, WA 98195
(206)543-3600

DEAFNESS REHABILITATION CENTERS:

New York University
Deafness Rehabilitation Research and
Training Center
80 Washington Square East
New York, NY 10003
(212) 598-2305

University of California
Deafness and Mental Health Rehabilitation Research and Training
Center
Langley Porter Institute
1474 5th Ave.
San Francisco, CA 94143
(415) 731-9150

VOCATIONAL REHABILITATION CENTERS:

University of Arkansas
Vocational Rehabilitation Research
and Training Center
Fayetteville, AR 72701
(501) 575-3656

University of West Virginia
Vocational Rehabilitation Research
and Training Center
Institute, WV 25112
(304) 348-6340

University of Wisconsin-Stout
Vocational Rehabilitation Research
and Training Center
Stout Vocational Rehabilitation
Institute
Menomonie, WI 54751
(715) 232-1389

MENTAL RETARDATION TRAINING CENTERS:

Texas Tech University
Research and Training Center in
Mental Retardation
P.O. Box 4510
Lubbock,TX 79409
(806) 742-3131

University of Oregon
College of Education
Mental Retardation Rehabilitation
Research and Training Center
212 Clinical Services Bldg.
Eugene, OR 97403
(503) 686-3585

University of Wisconsin
Waisman Center on Mental Retardation and
Human Development
1500 Highland Ave.
Madison, WI 53706
(608) 263-5940

APPENDIX VII

REHABILITATION ENGINEERING CENTERS

PGN 23-P-55442/9
Dr. James B. Reswick
Project Director
Rehabilitation Engineering Center
Rancho Los Amigos Hospital
7601 East Imperial Highway
Downey, California 90242
Telephone 213 - 922-7167
Core Area: "Functional Electrical Stimulation of Paralyzed Nerves and Muscles"

PGN 23-P-55518/3
Mr. A. Bennett Wilson, Jr.
Project Director
Rehabilitation Engineering Center
Kruzen Research Center
Moss Rehabilitation Hospital
12th Street and Tabor Road
Philadelphia, Pennsylvania 19141
Telephone 215 - 329-9580
Core Area: "Locomotion and Mobility"

PGN 23-P-55854/1
Dr. William Berenberg
Project Director
Rehabilitation Engineering Center
Children's Hospital Medical Center
300 Longwood Avenue
Boston, Massachusetts 02115
Telephone 617 - 734-6000, Ext. 2866
Core Area: "Neuromuscular Control Using Sensory Feedback Systems"

PGN 23-P-57888/6
Dr. William A. Spencer
Project Director
Rehabilitation Engineering Center
Texas Institute for Rehabilitation and Research
1333 Moursund Avenue
Houston, Texas 77030
Telephone 713 - 797-1440
Core Area: "Effects of Pressure on Tissue"

PGN 23-P-55898/5
Dr. Clinton L. Compere
Project Director
Rehabilitation Engineering Center
Northwestern University
345 East Superior Street
Room 1441
Chicago, Illinois 60611
Telephone 312 - 649-8560
Core Area: "Internal Total Joint Replacement"

PGN 23-P-57176/7
Dr. Richard A. Brand
Project Director
Rehabilitation Engineering Center
University of Iowa
Orthopaedics Department
Dill Children's Hospital
Iowa City, Iowa 52242
Telephone 319 - 356-3468
Core Area: "Low Back Pain"

PGN 23-P-57590/9
Dr. Lawrence A. Scadden
Project Director
Rehabilitation Engineering Center
Smith-Kettlewell Institute of Visual Sciences
2232 Webster Street
San Francisco, California 94115
Telephone 415 - 563-2323
Core Area: "Sensory Aids - Blind and Deaf"

PGN 23-P-57937/4
Dr. Robert E. Tooms
Project Director
Rehabilitation Engineering Center
The University of Tennessee
Department of Orthopaedic Surgery
1248 LaPaloma Street
Memphis, Tennessee 38114
Telephone 901 - 525-2531
Core Area: "Mobility Systems for Severely Disabled"

PGN 23-P-57967/5
Dr. Charles H. Herndon
Project Director
Rehabilitation Engineering Center
Case Western Reserve University
School of Medicine
2219 Adelbert Road
Cleveland, Ohio 44106
Telephone 216 - 444-3040
Core Area: "Upper Extremity Functional
Electrical Stimulation"

PGN 23-P-57960/7
Mr. John F. Jonas, Jr.
Project Director
Rehabilitation Engineering Center
Cerebral Palsy Research Foundation
of Kansas, Inc.
4320 East Kellogg Street
Wichita, Kansas 67218
Telephone 316 - 683-5627
Core Area: "Vocational Aspects
of Rehabilitation"

PGN 23-P-57961/5
Prof. J. Raymond Pearson
Project Director
Rehabilitation Engineering Center
The University of Michigan
College of Engineering
225 West Engineering
Ann Arbor, Michigan 48109
Telephone 313 - 764-8464
Core Area: "Automotive Transportation for the Handicapped"

PGN 23-P-57995/3
Dr. Warren G. Stamp
Dr. Colin A. McLaurin
Project Directors
Rehabilitation Engineering Center
School of Medicine
University of Virginia
P.O. Box 3368, University Station
Charlottesville, Virginia 22903
Telephone 804 - 977-6736
Core Area: "Spinal Cord Injury"

PGN 23-P-59269/9
Mr. Maurice A. LeBlanc
Project Director
Rehabilitation Engineering Center
Children's Hospital at Stanford
520 Willow Road
Palo Alto, California 94304
Telephone 415 - 327-4800
Core Area: "Communication
Disorders for Deaf and Nonvocal"

REHABILITATION ENGINEERING CENTERS

International

PGN 19-P-58030
Dr. Salah Hommossani
Under Secretary of State for Rehabilitation
Ministry of Social Affairs
Mugamaa Building, Tahrir Square
Cairo, Egypt
Project Director
Rehabilitation Engineering Center
Wafa Wa Amal
Core Area: Architectural Barriers

PGN 19-P-58345
Prof. A. Senger, M.D.
Institute of Orthopaedic Surgery and Rehabilitation
Academy of Medicine
Dzierzynskiego 135, 61 545 Poznan
Poland
Project Director
Rehabilitation Engineering Center
Core Area: "Upper Extremity Disabilities"

PGN 19-P-58451
Dr. Lojze Vodovnik
University of Ljubljana
Faculty of Electrical Engineering
61001 Ljubljana, Trzaska 25
Yugoslavia
Project Director
Rehabilitation Engineering Center
Core Area: "Functional Electrical Stimulation"

BIBLIOGRAPHY

Benson, Harold A., Moore, Marie L., Ross, E. Clarke, and Weinrich, Ernest. *Comprehensive Needs Study of Individuals with the Most Severe Handicaps: Report of UCPA to The Urban Institute*. Washington, D.C.: UCPA, November 15, 1974.

Bureau of Education for the Handicapped, U.S. DHEW, "The Vocational Development of Mentally Handicapped Adolescents: An Experimental and Longitudinal Study," Vol. 40. August, 1967.

Commission on Accreditation of Rehabilitation Facilities, *Standards Manual for Rehabilitation Facilities*. Chicago, 1978. (New Address: CARF, 2500 N. Pantano Rd., Tucson, Arizona 85715, 602/886-8575).

Dean, Russell J.N., *New Life for Millions: Rehabilitation for America's Disabled*, Hastings House, N.Y., 1972.

P. Finch and Calhoun, *Vocational and Career Education: Concepts and Operations*, Belmont, Ca., Wadsworth Publishing Co., Inc., 1976.

Fishler, Arnold L., *Development of Work Programs for the Multihandicapped: Report of a Demonstration Project Directed at Broadening Vocational Opportunities for the Severely Handicapped*, New York, United Cerebral Palsy Associations, Inc., 1976.

Giordano-Evans, A., and Mark Wolfe, *A History of Federal Vocational Education Legislation in the Twentieth Century*, Washington, D.C., Congressional Research Service, Library of Congress, 1976.

Government Accounting Office, *What is the Role of Federal Assistance for Vocational Education* Washington, D.C., U.S. Office of Education, 1974.

Greenleigh Associates, *The Role of the Sheltered Workshop in the Rehabilitation of the Severely Handicapped*, Washington, D.C.: Office for Handicapped Individuals/DHEW, July, 1975.

Halloran, W., T.T. Foley, II, J.A. Razeghi, and M. Hull, *Vocational Education for the Handicapped: Resource Guide to Federal Regulations*, Texas Regional Resource Center, Technical Report #5, 1978.

Kay, Evelyn T., B.H. Kemp, and F.G. Saunders, *Guidelines for Identifying, Classifying, and Serving the Disadvantaged and Handicapped under the Vocational Education Amendments of 1968*, National Center for Educational Statistics, DHEW Publication number (OE) 73-11700.

Koshel, Jeffrey J. and C.V. Granger, "*Rehabilitation Terminology*: Who Is Severely Disabled?" Rehabilitation Literature, Vol. *39*(4): 102-106, April, 1978.

LaVor, Martin L. and Jack G. Duncan, "Vocational Rehabilitation: the New Law and its Implications for the Future," *Journal of Rehabilitation*, July-August, 1976.

Levine, Laura. "A Statement of Issues Relative to Development of a Cooperative Agreement between RSA/DHEW and UCPA." Washington, D.C.: UCPA, 1978

Management Analysis Center, Inc., Improving Occupational Programs for the Handicapped, Washington, D.C.: DHEW, 1972.

National Association of State Mental Retardation Program Directors, Inc., Income Maintenance and the Developmentally Disabled: An Analysis of Policy Issues, The Sheltered Occupational Center of Northern Virginia, 1977.

ESCO-Oberman, C., A History of Vocational Rehabilitation in America, Minneapolis, T.S. Denison and Co., Inc., 1968.

Olympus Research Corporation, An Assessment of Vocational Education Programs for the Handicapped under Part B of the 1968 Amendments to the Vocational Education Act: Final Report, Salt Lake City, U.S. Office of Education, 1974.

Posner, Bernard, "Employment," in Mental Retardation and Developmental Disabilities, Joseph Wortis, ed., vol. VI, 1975.

President's Committee on Employment of the Handicapped, Employment Assistance for the Handicapped: A Directory of Federal and State Programs to Help the Handicapped to Employment, Washington, D.C., U.S. Government Printing Office, 1967.

Razeghi, J.A. and William D. Halloran, "A New Picture of Vocational Education for the Employment of the Handicapped," School, April, 1978.

Ross, E. Clarke. "Federal Agency Studies of the Sheltered Workshop Environment: Changes in Rehabilitation Advocated," Word from Washington, Washington, D.C.: UCPA, Vol. 7, No. 2, February, 1978.

Thompson, John F., Foundations of Vocational Education: Social and Philosophical Concepts, Englewood Cliffs, N.J., Prentice-Hall, Inc., 1973.

Torner, Ronald and Ross, E. Clarke. "Statement on H.R. 7905, the Rehabilitation Amendments of 1977," submitted to the House Subcommittee on Select Education. Washington, D.C.: UCPA, April 7, 1978.

United Cerebral Palsy, Models of Services for the Multi-Handicapped Adult, presented at the International Conference on Models of Services for the Multi-Handicapped Adult, New York, 1973.

United States Department of Health, Education, and Welfare. Annual Report on the Administration of the Rehabilitation Act of 1973 as Amended. Washington, D.C.: DHEW, Fiscal Year 1977.

United States Department of Labor. "Sheltered Workshop Study: A Nationwide Report on Sheltered Workshops and their Employment of Handicapped Individuals," Washington, D.C., 1977

Urban Institute, "Executive Summary of the Comprehensive Needs Study of Individuals with the Most Severe Handicaps," Washington, D.C.: DHEW, 1975

"Vocational Education Programs," Federal Register, Vol. 43, No. 244, Tuesday, December 19, 1978, pp. 59105-59110.

White House Conference on Handicapped Individuals, "Attitudes of the General Public Toward Handicapped Individuals," Pub. WHC - 10.

-----"Economic Concerns of Handicapped Persons."

Whitehead, Claude W. "A Comprehensive Action Program for Sheltered Workshops," Journal of Rehabilitation Administration, August, 1978, pp. 115-121.

Whitehead, Claude W. "TESPA - An HEW Response to National Studies of Sheltered Workshops," Washington, D.C.: DHEW, October 18, 1978.

The Federal Programs Information and Assistance Project is a consolidation of two grants of national significance awarded by the Developmental Disabilities Office of the Department of Health, Education and Welfare. The grants were developed through the efforts of the four national voluntary agencies representing each of the developmental disabilities. These four agencies, Epilepsy Foundation of America, National Association for Retarded Citizens, National Society for Autistic Children, Inc., and United Cerebral Palsy Associations, Inc. as well as the National Conference on Developmental Disabilities, are jointly participating in the Project. The National Association for Retarded Citizens has responsibility for administering the grants.

Epilepsy
Foundation
of America

National
Association
for Retarded
Citizens

National Society
for Autistic
Children, Inc.

United
Cerebral Palsy
Associations, Inc.

National
Conference on
Developmental
Disabilities